DEBATES

OF

THE SENATE

OF THE

DOMINION OF CANADA

REPORTED AND EDITED BY

HOLLAND BROS.

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THIRD SESSION—TWELFTH PARLIAMENT.

OTTAWA
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1914

SENATORS OF CANADA

ALPHABETICAL LIST

THIRD SESSION, TWELFTH PARLIAMENT, 4 GEORGE V.

1914

SENATORS.	DESIGNATION.	POST OFFICE ADDRESS
The Honourable		
BAIRD, G. T	Victoria	Perth, N.B.
BÉIQUE, F. L	De Salaberry	Montreal, Que.
BEITH, R	Bowmanville	Bowmanville, Ont.
BELCOURT, N. A	Ottawa	Ottawa, Ont.
BOLDUC, J	Lauzon	St. Victor de Tring, Que.
BOSTOCK, H	Kamloops	Monte Creek, B.C.
BOUCHERVILLE, DE, C.E., C.M.G	Montarville	Montreal, Que.
BOWELL, (Sir Mackenzie), K.C.M.G	Hastings	Belleville, Ont.
BOYER, A	Rigaud	Montreal, Que.
CASGRAIN, J. P. B	De Lanaudière	Montreal, Que.
CHOQUETTE, P. A	Grandville	Quebec, Que.
CLORAN, H. J	Victoria	Montreal. Que.
THOS. COFFEEY	London	London, Ont.
CORBY, H	Belleville	Belleville, Ont.
COSTIGAN, J	Victoria, N.B	Edmundston, N.B.
CURRY, N	Amherst	Amherst, N.S.
DANDURAND, R	De Lorimier	Montreal, Que.
DANIEL, J. W	St. John	St. John, N.B.
DAVID, L. O	Mille Iles	Montreal, Que.
DAVIS, T. O	Prince Albert	Prince Albert, Sask.
DENNIS, W	Halifax	Halifax, N.S.
DERBYSHIRE, D	Brockville	Brockville, Ont.
DESSAULLES, G. C	Rougemont	St. Hyacinthe, Que.
DE VEBER, L. G	Lethbridge	Lethbridge, Alberta.
DOMVILLE, J	Rothesay	Rothesay, N.B.
DONNELLY, JAMES J.	Bruce	Pinkerton, Ont.
DOUGLAS, J. M	Tantallon	Tantallon, Saskatchewan.
EDWARDS, W. C	Rideau	Ottawa, Ont.
FARRELL, E. M	Liverpool	Liverpool, N.S.
FISET, J. B. R	Gulf	Rimouski, Que.
FORGET, A. E	Banff	Banff, Alberta.
FROST, F. T	Leeds and Grenville	Smith's Falls, Ont.
GIBSON, W	Lincoln	Beamsville, Ont.
GILLMOR, D	St. George	St. George, N.B.
GIRROIR, E. L	Antigonish	Antigonish, N.S.
GODBOUT, J	La Salle	Beauceville West, Que.
GORDON, G	Nipissing	North Bay, Ont.
JAFFRAY, R	Toronto	Toronto, Ont.
JONES, SIR LYMAN MELVIN	Toronto	Toronto, Ont.
KERR, J. K., P.C	Toronto	Toronto, Ont.
KING, G. G	Queen's	Chipman, N.B.
KIRCHHOFFER, J. N	Selkirk	Brandon, Man.
LANDRY, P. (Speaker)	Stadacona	Candiac, Quebec, P.Q.
LA RIVIÈRE, A. A. C	Provencher	St. Boniface, Man.
LAVERGNE, L	Kennebec	Arthabaska, Que.

SENATORS.	DESIGNATION.	POST OFFICE ADDRESS.
The Honourable		
LEGRIS, J. H	Repentigny	Louiseville, Que.
LOUGHEED, J. A	Calgary	Calgary, Alberta.
MACDONALD, W. J	Victoria	Victoria, B.C.
MACKAY, R	Alma	Montreal, Que.
MACKEEN, D	Cape Breton	Halifax, N.S.
MASON, JAMES, Col		Toronto, Ont.
MCCALL, ALEXANDER		Simcoe, Ont.
MCDONALD, W	Cape Breton	Glace Bay, N.S.
MCHUGH, G	Victoria, O.	Lindsay, Ont.
MCKAY, W	Cape Breton	Reserve Mines, N.S.
MCLAREN, P	Perth	Perth, Ont.
MCSWEENEY, P	Northumberland	Moncton, N.B.
MCMILLAN, D	Alexandria	Alexandria, Ont.
MITCHELL, W	Wellington	Drummondville, Que.
MONTPLAISIR, H	Shawenegan	Three Rivers, Que.
MURPHY, P. C	Tignish	Tignish, P.E.I.
OWENS, W	Inkerman	Montreal, Que.
POIRIER, P	Acadie	Shediac, N.B.
POPE, R. H	Bedford	Cookshire, Que.
POWER, L. G., P.C	Halifax	Halifax, N.S.
PRINCE, B	Saskatchewan	Battleford, Sask.
PROWSE, B. C	Charlottetown	Charlottetown, P.E.I.
RATZ, V	North Middlesex	New Hamburg, Ont.
RILEY, G	Victoria, B.C.	Victoria, B.C.
ROBERTSON, J. E	P. E. Island	Montague, P.E.I.
ROCHE, W	Halifax	Halifax, N.S.
ROSS, J. H	Regina	Moosejaw, Saskatchewan
ROSS, W. B	Middleton	Middleton, N.S.
ROSS, SIR GEO. W., KT	Middlesex	Toronto, Ont.
SHEHYN, J	Laurentides	Quebec, Que.
SMITH, ERNEST DISRAELI		Winona, Ont.
TALBOT, P	Lacombe	Lacombe, Alberta.
TAYLOR, G	Leeds	Gananoque, Ont.
TESSIER, JULES	De la Durantaye	Quebec, Que.
THIBAUDEAU, A. A	De la Vallière	Montreal, Que.
THOMPSON, F. P	Fredericton	Fredericton, N.B.
THORNE, W. H	St. John	St. John, N.B.
WATSON, R	Portage la Prairie	Portage la Prairie, Man.
WILSON, J. M	Sorel	Montreal, Que.
YEO, J	East Prince	Port Hill, P.E.I.
YOUNG, F. M	Killarney	Killarney, Man.

THE

SENATE DEBATES

THIRD SESSION—TWELFTH PARLIAMENT.

THE SENATE.

Ottawa, Thursday, January 15, 1914.

The SPEAKER took the Chair at 2.30 p.m.

NEW SENATOR.

Hon. William Henry Thorne, of the province of New Brunswick.

The Senate adjourned during pleasure.

THE SPEECH FROM THE THRONE.

His Royal Highness the Governor General being seated on the Throne.

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint the House that,—

It is His Royal Highness the Governor General's pleasure that they attend him immediately in the Senate.

Who being come, with their Speaker,

His Royal Highness the Governor General was then pleased to open the Session by a gracious Speech to both Houses:—

Honourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

I take this public opportunity of expressing to you all, my deep sense of gratitude for the comfort and support that were afforded us at the time of the serious illness of the Duchess of Connaught, by the numerous messages of sympathy that were received from Canada, and by the knowledge, that the hearts of so many Canadians were with us during those dark days. I can only regret that my enforced absence made it impossible for me to fully exercise the duties of my high office during a considerable portion of last year.

It gives me great pleasure to be able to congratulate you upon the remarkable expansion of Canada's trade with other countries in the past fiscal year, during which our total trade far exceeded that of any preceding year.

The bountiful crops with which the Dominion has fortunately been blessed during the past season have been harvested under unusually favourable condition .. have enabled the transportation companies to make full use of all the facilities at their disposal. Thus the difficulties, which sometimes arose in former years have not been manifest, and an unusually large proportion of the crops have been conveyed to the sea-board before the close of the season of inland navigation.

Canada has been favoured by a long series of prosperous years, and, although at the present moment business is slightly restricted by the financial stringency which prevails throughout the world, I feel convinced that this condition will be merely temporary, and that the boundless resources of this Dominion which are so fully and universally known and recognized, give us the fullest assurance of continued material prosperity and progress.

As a result of the recent decennial census the representation of the different provinces must be readjusted, as required by the British North America Act, and a Bill will be introduced for that purpose.

A Bill consolidating the Railway Act and its various amendments, as well as Bills relating to the Civil Service and to Trust and Loan Companies, will be submitted for your consideration.

Several other Bills will be submitted, including measures providing for increased representation of the provinces of Manitoba, Saskatchewan, Alberta and British Columbia, in the Senate.

The volume of immigration during the present fiscal year promises to be greater than that of any preceding year. It has come in greatest measure from the British Isles and from the United States, but a large stream of desirable immigration has also reached our shores from other countries.

You will be pleased to learn that satisfactory arrangements have been made with the various provinces under the Agricultural Instruction Act passed at the last session. My advisers are convinced that the co-operation between the Dominion and the provinces which is thus afforded, will accomplish excellent results, in assuring better agricultural instruction and needful improvement of existing methods of agriculture.

The work on the National Transcontinental railway has been rapidly advanced during the past year, and, notwithstanding the difficulties attending the construction of the Hudson Bay railway, and the provision of terminals, every possible progress has been made in bringing that important project nearer to completion.

In connection with the highly important subject of transportation of our products, the pro-

vision of adequate terminal facilities at our great national ports has received and is receiving the attention of my advisers.

You have doubtless learned with satisfaction that the new government terminal elevator at Port Arthur is completed, and that it has been in operation since October last. In conjunction with this, a system of interior terminal elevators has been begun, which will provide largely increased facilities for the farmers of the great grain producing provinces.

The International Conference on Safety of Life at Sea, which has been in session in London for several weeks, has had under consideration questions of the highest importance, and it is hoped that its deliberations may result in more effective measures for assuring the safety of the passengers and crews of ocean-going steamships. Representatives of Canada were appointed by Order in Council and have been in attendance at all sessions of the conference.

Gentlemen of the House of Commons:

The accounts for the last fiscal year will be laid before you. You will be pleased to know that the revenue has been ample to cover both ordinary and capital expenditure.

The estimates for the next fiscal year will be submitted at an early date. They have been prepared with due regard to the necessary development of the resources of the Dominion, coupled with careful attention to economical administration.

Honourable Gentlemen of the Senate:
Gentlemen of the House of Commons:

In inviting your careful consideration of the subjects to which I have called your attention, I pray that the blessings of Divine Providence may attend your deliberations.

His Excellency the Governor General was pleased to retire, and the House of Commons withdrew.

After some time the Senate was resumed.

FIRST READING.

Bill, an Act relating to Railways.—Hon. Mr. Lougheed.

The Senate adjourned until Tuesday next at 3 p.m.

THE SENATE.

Ottawa, Tuesday, January 20, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

COMMITTEE OF SELECTION.

MOTION.

Hon. Mr. LOUGHEED moved:

That pursuant to Rule 77, the following senators: the Honourable Sir Mackenzie Bowell, K.C.M.G., the Honourable Messieurs Gibson, Béique, Power, Watson, Casgrain, Ross (Moosejaw), Daniel, and the mover, be appointed a Committee of Selection to nominate senators to serve on the several Standing Committees during the present session; and to report with all convenient speed the names of the senators so nominated.

The motion was agreed to.

QUESTION OF PRIVILEGE.

Hon. Mr. CHOQUETTE — Before the Orders of the Day are called, I wish to bring to the attention of this House a letter which appeared in the Ottawa Citizen on the 16th inst. The letter is signed 'Andrew Holland,' and refers to the question of procuring a supply of water for the city of Ottawa. In the course of his letter he says:

> It makes me tired to see the way the public are stampeded by the cry of doped water, and rounded up for an enormous expenditure of money on a municipal utility in a province entirely beyond our jurisdiction in which our civil rights are to be adjudicated on under a code entirely foreign to the people of Ontario, and where we shall be at the mercy of demagogues who know how to work on racial and religious weaknesses, to earn notoriety or pelf for their own miserable selves.

I wish to protest most emphatically against this expression, and the more so as I am told that the writer of this article is in the employ of the Senate. I hope it is not true, because if the Holland referred to is the gentleman who is sitting at the table to-day, I have the greatest esteem for him; nevertheless, if he is the writer of the letter I protest against this villainous article. We all know that a Bill was introduced in the Legislature of Quebec to provide a supply of pure water for the city of Ottawa. There are other pure articles which they will find in the province of Quebec besides the water. If the writer of this letter is the official reporter of the Senate, I hope he will withdraw this unkind remark as soon as possible.

AN ERROR IN THE MINUTES.

Hon. Mr. CASGRAIN—Before the Orders of the Day are proceeded with, I wish to call attention to an error which appears at page 6 of the Minutes. Last Thursday the Honourable, the Speaker of the House, informed the Senate that a copy of the Speech from the Throne had been left in his hands. Then the Minutes show that on motion of the Hon. Mr. Lougheed, seconded by the Hon. Sir Mackenzie Bowell, it was ordered that the Speech be taken into consideration by the Senate on Tuesday next.

It will be within the recollection of all who were present last Thursday that the motion was seconded by the hon. gentleman from Russell. I even rose in my place to express my astonishment and to inquire whether an arrangement had been made for the hon. gentleman to second the motion made by the leader of the House. An alteration has been made in the minutes. I do not know at whose instance this change was made, whether the allegiance of the hon. gentleman from Russell only lasted that afternoon, but it is something we are all interested in knowing. I hope the hon. gentleman from Russell will explain how he happened to permit himself to second a motion which embodies a policy to which he is opposed here, and which he was opposed to in another place. Some explanation is due from the leader of the Government or from the hon. member from Russell.

Hon. Mr. EDWARDS—If I must explain, my common sense led me to believe there were no parties in this House. If it is claimed there are parties, then I can only say that my affection and esteem for the hon. leader of the House led me temporarily astray.

Hon. Mr. CASGRAIN—Will the error be corrected in the Journal?

Hon. Mr. POWER—You cannot correct it.

Hon. Sir MACKENZIE BOWELL—I may say I had nothing to do with the changing of it. I know not how it was made, but I was delighted to see the name of the hon. gentleman from Russell put from the Chair as the seconder of that motion, because it was a vindication of the principle he himself laid down that there were no parties in this House, and I am surprised that my hon. friend who brought this matter up should indicate that there were.

THE ADDRESS.

MOTION.

The Orders of the Day being called.

Consideration of His Royal Highness the Governor General's speech on the opening of the third session of the twelfth Parliament.

Col. the Hon. Mr. MASON—It is a great honour to be invited to move the Address in reply to the Speech from the Throne, which I now have the privilege of doing. I appreciate the opportunity and also the difficulty of the occasion. As a new member, however, of this portion of the Parliament of Canada and as one who is not a practised speaker, political or otherwise, I ask for your consideration and am sure it will be granted.

The reference by His Royal Highness to the sympathy shown by Canadians during the serious illness of the Duchess last year is one which will be greatly appreciated. The Crown has rarely been represented in Canada, or it is safe to say anywhere in the Empire, by one who has so greatly interested himself in local affairs, so closely identified himself with Canadian interests, so warmly sympathized with Canadian ambitions, as has the Duke of Connaught. In this work and in the hearts of our people his gracious Consort has found a high place, and it was with a sense of deep sorrow that our people heard of the illness of Her Royal Highness—a sorrow only equalled by their pleasure and joy at realizing her recovery, and in hearing that she was coming to us once more. I cannot help expressing here an admiring appreciation of her courage and kindness of heart, in coming back again to our somewhat distant shores, and leaving the climate and environment which were no doubt better suited, at this time, to the condition of her health. We welcome Their Royal Highnesses and, need I say, the Princess Patricia, with sincere appreciation, and with a renewed sense of loyalty to the splendid monarchical institutions which they embody and to the King, whom His Royal Highness so ably represents. In this connection I would like to say that it must be very gratifying to Their Royal Highnesses to see, in this time of his young manhood, how successfully and with what popularity their son Prince Arthur of Connaught, is performing the important and arduous public duties assigned to him by His Majesty, the King.

In its reference to the development of Trade, the Speech is explicit and the terms employed do not over-estimate the importance of the progress made in this respect by Canada last year. The figures for December are not available but taking the past three calendar years in the twelve months ending November 30, I find that in 1911 the total imports were $515,649,198; in 1912, $638,497,874; in 1913, $672,402,808. During the same period the total exports were $301,601,871 in 1911; $367,302,482 in 1912; and $460,257,192 in 1913. These figures

gave an aggregate trade for the Dominion of $817,251,069 in 1911; $1,005,700,356 in 1912; and $1,132,670,000 in 1913.

Upon such a result the Government has indeed much reason to congratulate itself. A great deal was said during the Administration of the party which still has a majority in the Senate, regarding the immense growth of trade under the late Government, and there was some reason to be satisfied with a record which jumped from $239,025,360 in the fiscal year 1896 to $769,443,905 in the fiscal year 1911. How much more reason is there to be proud of the two years' growth under the present administration; in view especially of the fact that a part of the latter period was one of financial stringency?

There is a feature in the increased trade which may not be altogether desirable—I refer to the importation of $140,000,000 worth of iron and steel in varied forms. We have the resources, the industrial plants, the capital, and the workmen, to produce a large portion of these manufactures in our own country, and to be absolutely independent of the steel trusts of the United States. An increased output from our coal and iron mines, our blast furnaces, &c., would be of the greatest benefit to this country and its skilled labour. I do not propose here to deal with the vexed question of the balance of trade. But it may be said that in a new country, of large government undertakings in railways, harbours and waterways, of important municipal and other public requirements, of miscellaneous public works of an immense and almost pioneer character, the balance of imports over exports is inevitable. So far, therefore, as this excess is due to such causes there is little to be said.

The reference made in the speech to our national prosperity is justified, and the statement that the financial stringency, which has affected our country during the past year, is temporary, would appear to be thoroughly accurate. The conditions which led up to the period of tight money, which I trust we are slowly passing out of, were such in the main as we could not control or modify. One exception there was, of course, in the real estate speculation of the past few years which during 1912 reached a stage where some check was bound to occur. When that check came, partly by the wise action of the banks, but still more from the aroused suspicions of outside investors, a temporary but necessary depression followed in that line of business. As to the general situation, such tightness of money as existed, such dullness of business as showed itself generally, were caused by world-wide conditions.

Great international prosperity, enormous expansion of trade, wide-spread development of industry, combined to form the first great cause in a check such as comes at certain periods in the world's progress and growth. In this situation Canada was only one, though an important one, of the countries which required and were demanding more and still more money from the greatest of lending nations, Britain. British investments in Canada have been steadily increasing for years. I find in an able address by Sir F. Williams-Taylor, now General Manager of the Bank of Montreal, that the total amount of British investments recorded at London as having been made in Canada was, in 1902, $1,027,025,500, and in 1912 had grown to $2,052,245,000. This doubling of British investments in our country during a single decade was sufficiently remarkable in itself, but we find that the process is being continued to a still greater degree. Mr E. R. Wood, a leading and well recognized Toronto financial authority, who has made a close study of this subject, puts the total invested by Great Britain in Canadian Government, municipal, railway and corporation bonds during 1913, at the very large figure of $255,084,114. This total was 72·6 per cent of the total amount invested in these securities by Great Britain, Canada, and the United States. Incidentally these figures show the enormous increase of British financial interests in this country. Between 1902 and 1912 the average was $200,000,000 a year; in 1913 it was, as already stated, $255,000,000.

In another aspect of the case it will be seen that during a year of monetary tightness in Canada, none of the great basic undertakings and projects of the country were allowed to suffer. The pinch may have been felt by individuals, or by the smaller business dealers of the Dominion, who had to go slow and curtail expenditure and expansion until the vital factors of the nation's growth were cared for. In this connection some unjust criticism has been occasionally levelled against the banks. There is no doubt that in 1907 the financial stringency of that year would have involved serious disaster in Canada, such as then came to the United States, had it not been for the care exercised by our banking institutions. So, in this past year, I believe much serious evil was avoided by the cautious action of the banks in warning and advis-

ing customers, in curtailing speculation and expansion, in furling the country's sails in face of a stringency storm. To quote Mr. R. S. Gourlay, president of the Canadian Manufacturers' Association, on September 17, last:

> Our banks are deserving of much credit for the successful manner in which they have handled a difficult situation; to say that they have refused to provide money for speculative ventures or for the financing of new enterprises is to acknowledge that they have chosen rather to reserve their resources so as to be better able to take care of legitimate business. And this I believe they have done and done well, for with one of two exceptions, where special considerations may have necessitated a curtailment of credit, I have yet to hear of a good business, manufacturing or otherwise, that has not been provided with what money it actually needed.

It appears also that the commercial loans of the chartered banks increased twenty-four millions during the first eight months of the year, while deposits decreased twenty-five millions. Between August 31 and November 30 conditions were reversed, so that commercial loans decreased $24,000,000, while deposits increased $43,000,000. The former situation showed the banks did their best for their customers; the latter figures indicated that the country was recovering from its monetary stringency.

Many things, of course, have made our people feel the depression of the past year, and one of the most discussed topics was the higher cost of living to which the Government is now having official inquiries made. I believe a chief reason for this condition to be an increased population, coupled with a falling off in the numbers and in the raising of food-producing animals, and accompanied by increased demands from a people who are widening the area of home comforts, luxuries and higher-class food requirements. The great cause of the stringency, however—greater than the local effects of real estate speculation or the increased cost of living or even the world-wide influences of a prosperity which strained the money markets—was to be found in the War troubles of the year. Financial estimates of the cost of the Balkan War, which I have no reason to doubt, have placed the figures at $1,229,000,000, while the cost of preparation in Russia, Roumania, and Austria for Wars which, fortunately, did not occur, totalled many millions more. The Mexican disturbances also caused a strain on certain Canadian, as well as British investments, in that country. At the close of the year, without taking into account the strenuous efforts of Great Britain to keep its control of the Sea in face of the rivalry of Germany, the demand for loans required in connection with these wars and preparations for war was estimated at $700,000,000. It was not much wonder that money became tight in 1913; the greater wonder is that Canada actually received more money from Great Britain during the year than in 1912.

One good thing this stringency has certainly done—it has shown Canadians how vital to their well-being is the money of the Motherland; how essential it is that they keep and improve their national and individual credit by good government and wise financing and honest business; how practical is the value of the sentimental and Imperial bond, which, as Sir George Paish of the London Statist so well pointed out, in his Toronto speech of December 4, 1913, makes for actual profit to the pockets of our people.

Sir George Paish spoke as follows:

> Canada is in a very privileged position. We in England greatly admire the Canadian people; we have a great sentiment of friendship for you; and the result of this sentimental attachment is the important material advantage to Canada that we have loaned this great sum of £500,000,000 sterling to Canada at a rate of interest only slightly over 4 per cent; we should have given it to any other country, at any rate, any foreign country, for 5 per cent. That means that although you owe us £500,000,000 sterling, yet this costs you not more than £400,000,000 sterling would cost any foreign country; in other words, you have got the advantage of borrowing an extra 100,000,000 pounds for nothing. On the capital you have borrowed from the United States you are paying a higher rate of interest because most of the capital has come in for industrial operations, giving relatively higher returns.

This, in my opinion, from such an authority is a most important utterance. It indicates, as no laboured argument could do, one of the great benefits accruing from our union with the Empire, and affords one more reason for doing our duty in a naval and military sense toward that great combination of British nations. It means a saving of nearly £5,000,000, or $25,000,000. The savings of two years would more than cover the cost of the three dreadnoughts which the Commons voted to contribute to the British navy but which the majority in the Senate rejected.

In this connection I am certainly an optimist as to the future of Canada—both

near and distant. In a lesser degree than Great Britain other countries are now contributing to our development with both men and money. United States investments, in particular, are steadily increasing, and I note that according to the careful estimate of the Toronto Monetary Times these investments in Canadian industries have risen from $279,075 000 in 1909 to $636,903,952 in 1913. Legitimate business, also, in Canada is in a satisfactory condition and the slowing-down process will in a not very great length of time, again permit of considerable funds being available for further general expansion; the period of slight depression will have passed away and Canada be again busy in the development of her enormous resources. To quote the words of Mr. H. V. Meredith, president of the Bank of Montreal, in his address to shareholders on December 9 last.

Mr. Meredith said:

> The commercial condition of Canada is fundamentally sound. Business as a whole continues good; our vast natural resources have scarcely been scratched. Immigration is large, railway construction active, new territory and new sources of wealth are being steadily opened; the confidence of British and foreign capitalists in our country is unabated. A temporary halt can only refresh Canada for yet better achievements.

Another influence in Canadian prosperity to which reference has been most appropriately made in the speech, is that of agricultural production. The crop of 1912 in Canada was officially valued at $511,-951,000; that of 1913 is estimated at $552,-771,000. In prices, quality, harvesting facilities and conditions, and prompt shipment to market, this crop, I understand, was superior to preceding years. Such an outcome to agricultural production, in a year such as 1913, was largely responsible for the improvement in financial conditions noticed at its close. The sum of $100,000,000 has now probably gone into the west as a result of this crop and that total will be further increased by the disposal of grain still in storage and unsold. I have been interested in this connection in noting the tremendous figures to which Canadian natural production has now attained.

The following table gives an estimate for 1913 which is compiled from various authoritative sources:—

Agriculture	$ 550,000,000
Industries	1,500,000,000
Forest products	70,000,000
Fisheries	34,000,000
Minerals	140,000,00
Animals and products	300,000,000
Total	$2,594,000,000

These products, however, large as they appear, only touch the fringe of Canada's possibilities. Anything may occur in that development, though certain things are, even now, obvious. It is certain that British money must continue to be obtained in large quantities yearly; Canadian individual credit abroad must be improved in the more honest shipment of goods and products, and in the honest flotation of companies and industrial projects; mixed farming must be adopted in the west, and still more agricultural education developed in the east. Meanwhile, and in addition to the great production I have indicated for 1913, there were various evidences of assured progress —despite occasional pessimism and obvious depression. The bank clearings increased from $9,146,236,243 in 1912 to $9,262,606,864 in 1913—not a large increase but a very satisfactory one under the prevailing conditions. Bank deposits in Canada, which constitute a barometer of financial conditions, totalled $895,706,276 in December, 1910; $1,006,696,560 in December, 1911; $1,099,468,691 in December, 1912; and $1,117,612,205 in November, 1913—the figures for December not yet out—showing that our people, even in a year of depression, held their own.

It is eminently fitting that the Speech should refer to the matter of immigration. Nothing is more important than this to a new country, and the character or quality of the people coming in is of even greater importance than the numbers. The Government in this respect is to be congratulated upon the hand-picking of its immigrants; every year something like five new people come into the country for every one hundred already there. Sir Edmund Walker, President of the Canadian Bank of Commerce, recently amplified this proposition in another way, when he stated that this would mean in England two million new people in one year; in Germany three million, and in the United States about five million.

The assimilation of these new-comers is not easy, but I for one have a profound faith in the force of our institutions and believe that, if not the original immigrants in all cases, certainly their children will become good Canadian and loyal British

subjects—always provided that proper school, and national training in loyalty, and in the history of our British liberties and institutions, is given to these children. A large number of immigrants to Canada are, of course, already British by birth, and I note that of the 2,440,359 immigrants arriving during the nine years, 1905 to 1913, 962,762 were British, 653,244 from the United States—many of them returning Canadians —with 824,353 coming from all other countries. The yearly total of all immigrants increased from 145,954 in the calendar year 1905 to 350,374 in 1911; and I am glad to note has increased still further, to a total of 418,870 in 1913. Of this latter total the official figures show that 156,984 were of British origin, 146,135 of Continental (Europe) and general origin, and 115,751 from the United States.

It is interesting to note in this connection that the British born in Canada, which of course, included native Canadians as well as incoming British, totalled in the 1911 Census figures 6,453,104, and the foreign-born only 752,732. As to the near future, many things point to an increase of British emigration to Canada. The intense competition in Britain, due to free agricultural imports, and the very heavy increases in taxation on land, are driving the agricultural class of that country into the cities or the colonies—and we seem to be getting the cream of the latter migration. The British Board of Trade recently reported at length upon the great inducements offered by Canada, and stated that these were having a noticeable and increasing effect upon the British rural population. The present Government's persistent presentation of Canada's attractions and resources, through many mediums and in many ways, was obviously having a cumulative effect of which we should continue to feel the benefit.

The references in the Speech to Transportation are of special interest. I suppose no project has been more discussed in the West of late years than the Hudson Bay railway, and the Government and the Minister of Railways and Canals are to be heartily congratulated upon the energetic way in which they have taken up and developed this proposal in accordance with Mr. Borden's well-known pre-election pledges. The total appropriation in 1913 was $4,500,000, of which, I understand, $1,000,000 was on account of the terminals it is proposed to construct at Port Nelson. By October 25th last, when ballasting operations were closed for the season, 79 miles of steel had been laid, and the grade completed for 135 miles. I am advised that as many as 1,200 men were employed at one time upon construction; that difficulties met with were very considerable, and that all supplies had to go around by way of Sydney, N.S., to Port Nelson. The Government proposes to cut a road, however, from the end of the present grade to Port Nelson for next year's work, and it is hoped to complete the railway in 1915.

It is gratifying to note that the National Transcontinental railway and the Grand Trunk Pacific are nearing completion. It was a great undertaking for a young country and without the support of British capital could not have been carried through. According to official figures, which have been already published, the total expenditure on the Government part of the line from Moncton to Winnipeg, and exclusive of the Quebec bridge, was as follows:

To November 30, 1911..	$107,906,184
Liabilities (approx)..	5,933,000
Total..	$113,839,184
Chief Engineer's estimate, dated Sept. 30, 1912, of cost of completed road, exclusive of interest.	$162,786,800

The last spike in connecting the main line track was driven on November 17th last, and the entire track is thus laid from Moncton to Winnipeg, excepting the Quebec bridge, which is part of another contract. There only remains, I am informed, some station buildings and divisional point buildings to complete; with a number of steel bridges which still have to be erected. The train ferry for Quebec is also under construction at Birkenhead, and should be delivered in May next and ready for operation before autumn. It is hoped that the whole Government road will be completed between the points mentioned by the beginning of 1915; the construction of the shops at Quebec will require some further time. According to the address of Mr. A. W. Smithers, chairman of the Grand Trunk Pacific, in London on October 23rd last, that part of the line is now laid 1,204 miles west of Winnipeg, and 305 miles east of Prince Rupert, leaving 230 miles to complete, which he expected would be done by June of this year.

Reverting again to the portion of the undertaking which was projected and controlled by the late Government, the country will be glad to know that it is approaching completion. It was a great burden and will still be one upon the country as a whole; but the line had to be constructed

and completed when once commenced. The economy with which it has been handled under the new Government is most gratifying and stands in strong contrast to what happened before Mr. Borden came into power.

The Government has reason to be proud of the present transportation facilities of the West, and the railways are to be congratulated upon their handling of the 1913 crop. We all remember the deplorable conditions attaching to the shipment of the 1911 crop and the difficulties which remained over into the next year. The western press teemed with severe criticisms of every one concerned, though the trouble was largely due to causes which no Government or transportation agency could at that time meet. Now, the railway companies, acting apparently with the Railway Commission under Government direction, have brought about a condition of things where the current season brings hardly a complaint, although the crop is greater than ever.

The matter of storage accommodation in connection with the general question of transportation cannot be too strongly urged upon the Government and farmers alike. The Dominion Government in carrying out Mr. Borden's pre-election pledges as to the great terminal elevator at the head of the lakes, which is now completed, and as to the internal elevators, which are now under way in the western provinces, has done a great public service. This Government elevator at Port Arthur has a capacity of 3,250,000 bushels; it cost $1,227,755; and was opened on October 13th last. At the latest date of information received, it had in store 1,925,940 bushels of grain. I have received a letter this morning stating that in the neighbourhood of 6,500,000 bushels of grain have been handled up to date. There were a number of cars coming to these two ports, which graded 'rejected.' These cars were refused by the other terminal elevators but I am glad to say that the Government elevator took everything that was offered, and handled more than a fair share of the grain that required special treatment in the way of cleaning and separating.

That letter was sent by the secretary of the Board of Grain Commissioners for Canada at Fort William.

As the total of grain received at Port Arthur and Fort William in September, October and November, 1912, was 66,736,587 bushels, and in the same three months of 1913 had increased to 115,570,500 bushels, the tremendous importance of additional facilities is obvious. Two internal elevators, —one at Moosejaw and one at Saskatoon,— are now under construction at a total price of $2,163,741, and each of them is to have a capacity of 3,500,000 bushels. It may also be considered desirable, though I have not information on that point, to construct similar elevators in Alberta and on the Pacific coast.

Various efforts had been made in the past few years, through public and private ownership, to give this boon to the western farmer, and the Grain Growers' Associations have been unceasing in their exertions and pressure upon the Provincial Governments. The policy of the present Dominion administration will, therefore, be justly popular, and it certainly meets one of the most important demands and requirements of western agricultural interests. I cannot help saying, however, that the Government action should be further aided by individual farmers. The building of local storage accommodation for the farmer's own wheat would make transport congestion in the future impossible and improve the quality of the grain as a whole, while giving the farmer a better chance of getting a better market.

I desire at this point to congratulate the Minister of Agriculture (Hon. Mr. Burrell) upon his Agricultural Aid Act of 1912, and his Permanent Agricultural Instruction Act of 1913. The investigation carried on by Mr. C. C. James, under instructions from the Department, has been fruitful of good results. Upon it has been based the present law under which $10,000,000 will be expended upon agriculture in the provinces of Canada during this and the succeeding 9 years. This money will go toward the increase of efficiency and equipment in agricultural colleges and the teaching of agriculture in the public schools; encouragement to women's institutes in the rural districts; promotion of demonstrations and training in horticulture, sheep and poultry husbandry; instruction in domestic economy, bee-keeping and under-drainage; organizing of school gardens and instructions by travelling dairymen; demonstrations of the value and nature of alfalfa clover; promoting tobacco culture and the maple syrup industry; instruction in the marketing of farm products and the raising of vegetables; promotion of dairying in all its branches. The vital point in this important plan is the unifying of provincial action throughout the provinces; another point is the closer relationship of the Dominion and the

Provinces gained through the promotion of a common end. The amount allotted to the different Provinces for the fiscal year 1913-14 is officially stated as follows:

Ontario.....	$195,733.32
Quebec....	159,482.40
Nova Scotia....	54,288.45
New Brunswick....	44,509.93
Prince Edward Island ..	26,529.85
British Columbia..	47,334.76
Manitoba....	51,730.05
Saskatchewan..	54,296.29
Alberta....	46,094.95
	$680,000.00
Veterinary Colleges.. ..	20,000.00
	$700,000.00

The Minister of Marine and Fisheries (Hon. Mr. Hazen) was well advised in appointing a delegate to the International Conference on Safety of Life at Sea. We are having ever increasing proof of a necessity of organized action in this respect and no where could better advice and opinion be found than from the experienced leaders of marine thought and action in London. I am glad to know that the policy of practically 'boats for all' on board steamships has been approved by this conference, and details such as size, equipment, and nature of the boats decided upon; that rules have been drawn up as to practice and action at sea in the use of these boats; that recommendations are being made as to safeguard against some, at least, of the causes of fire at sea—such for instance, as the carrying of explosives and combustibles; and that attention has been given to methods adopted in the extinguishment of fires; prevention is good policy and I trust the Government will find co-operation possible in this important matter, with those concerned in international marine transport.

The redistribution of seats in the House of Commons is compulsory under the British North America Act, as a result of increased population ascertained by the recent census. This also applies to an increase of western representation in the Senate. I look forward to seeing a just, honourable and equitable adjustment of this matter. It should not be a party question as to either House. In this Senate I do not suppose that any member will be found unwilling to enlarge the membership and the influence of his House or to render ample justice in representation to that splendid population in the West from which comes so much national vitality and progress.

As to other clauses in the Government's programme as stated in the speech, I can only say of the Railway Act legislation which is proposed, that consolidation of laws is always desirable, as increasing the clearness of enactments and cheapening and expediting the process of litigation. In case of complex railway enactments it is especially desirable. As to the civil service legislation, Sir George Murray's report upon the situation has been before Parliament and the people for some time. His recommendations were born of experience and knowledge and the Government's application of them to our conditions will, I am sure, be wise and popular. The Minister of Finance (Hon. Mr. White) knows all about trust and loan companies and can be entrusted to make his Bill in that connection safe and sane in its changes, or in its adjustment to new conditions.

In this connection I want to congratulate the Minister of Finance upon the conditions of revenue and expenditure. The receipts for the fiscal year 1911 were $117,780,409, of 1912 $136,108,217; of 1913 $168,689,903—a very marked increase. The expenditures on consolidated fund account were in the same years, respectively, $87,774,198; $98,161,440; and $112,059,537. The total surplus of 1911 was, therefore, $30,006,211; for 1912 $37,946,776; for 1913 $56,630,366. The great expansion was during the past two years of our present minister's administration, and I desire to emphasize the public appreciation of his management of our financial affairs during a period of some financial difficulties, and upon his having piled up in that period the largest surplus of Canadian history. Even in the latter part of 1913 the revenue was $127,571,762 for the last nine months of the calendar year, or an increase of $3,000,000 over the very large revenue of the same nine months in 1912. The expenditure upon important current public works was, of course, also increased but this was unavoidable and the objects all of great importance to our people. At Hamilton recently, in this connection, the Hon. Mr. White said:

'This year we shall pay all our current expenses, and we shall pay a substantial part of our capital charges. We shall have no hesitation in borrowing within reasonable bounds. Extravagance is always to be deprecated, parsimony should also be deprecated. The sensible, sound, moderate course is the one to adopt. We have our Atlantic and Pacific Coasts and inland harbours to develop and improve—it is part of the national plant of Canada. In giving you this plant, what we are doing is to make it easier for the people of Canada to transact business with other parts of the world.'

In conclusion, let me say that I am proud personally to have the honour of moving the Address upon this occasion, proud as a Canadian of the position which Canada is attaining in the eyes of the world, proud as a British subject of the place which the Dominion will some day hold with manly assurance, national confidence, and imperial loyalty in that great structure reared by our forefathers which we call the British Empire.

Hon. Mr. THORNE—I rise to speak this afternoon with considerable diffidence, and perhaps a greater amount of embarrassment. My first parliamentary experience was when I was introduced and sworn in as a member of this honourable body. I trust, however, that after this session's experience I shall be able to appreciate this body and feel more at home among the distinguished members of the Senate than I do at the present moment.

My predecessor who moved the Address has dealt very voluminously in statistics and figures which, they say, speak louder than words. It is therefore not my intention to deal with figures. Rather shall I speak, for a few moments, on what I have seen and the conclusion I have arrived at.

The first clause in the speech from the Throne alludes to the serious illness of Her Royal Highness the Duchess of Connaught. It touches, I think, the heart of every Canadian, and the sympathy and gratitude of every citizen goes out to Her Royal Highness in her recovery and return to this country, thus enabling His Royal Highness to resume his manifold duties in the high office which he occupies. It was my pleasure on one of their tours to meet their Royal Highnesses in the city of St. John. They have travelled from the Atlantic to the Pacific and I venture to say that every citizen who has had the pleasure of seeing and meeting them will, for many years to come, through the strong affection they have for the Royal family, remember with pleasure the kindly way in which they met the people of the different cities and places they visited, and the interest they took in the industries of the different localities they visited.

The other paragraphs of the Speech deal largely with transportation and the prosperity of Canada. I do not intend to take up these clauses, but in a general way to give you an idea of what I have observed, and to say a few words with regard to the condition of this country to-day, and with regard to what I believe will take place in the future. I think it was in 1901 that I first visited the Northwest. I left St. John with the idea of going over that vast country, left with a feeling of doubt as to the capabilities of that country and what its future might be, to the east, and to the people who lived in the east, and were largely brought into indebtedness for the opening up of that great country. The Canadian Pacific railway had been constructed and was running through from the Atlantic to the Pacific, for only a few years. The speeches that had been made by those in opposition upon the acquisition of the great Northwest, and during the proposition to build the great highway by the Government of Canada, were ringing in my ears, and naturally I had some doubts as to what might be the future of that country for which we were accumulating such a vast debt at that time. The first place I visited in the Northwest was Fort William. It was then simply a muddy village, I might say, with a few dredges working to make deep water for the steamers coming there, and having very few inhabitants. I visited Port Arthur, the adjoining town, which was in a more flourishing condition at that time. Then I visited Winnipeg which, at that time, was said to have about fifty or sixty thousand inhabitants. During my stay there I recollect we had a couple of days of rain which made it very difficult to cross some parts of the streets. I visited the town of Brandon, and had the pleasure of meeting the Hon. Mr. Kirchhoffer, who was very kind. I viewed for the first time vast areas under cultivation in grain, and the flourishing little town, at that time, of Brandon. I visited other towns in crossing the great prairies, and saw at that season of the year the magnificent wheat fields that were just about being harvested.

The towns that we visited were going ahead and the inhabitants were optimistic. We at last landed in Calgary at that time a city of about 5,000 inhabitants. We then had the pleasure of a picturesque ride over the Rockies, and Selkirks, stopping at Banff and other places of note in that district. We visited Kootenay and other places. Everyone talked mining and the richness of the mines. We visited Vancouver, which had then twenty-five or thirty thousand inhabitants. What impressed me was the many vacant lots in that small town, and the stumps of trees which had been

recently cut, some of them measuring five or six feet in diameter. We then visited Victoria and had the pleasure of seeing the surrounding country, which was then not in a very flourishing state.

It was my pleasure during this last summer, at the invitation of the Minister of Marine and Fisheries, to visit the Northwest, and I was very glad to take the opportunity of joining him in one of the most instructive and pleasant trips that I have ever taken in my life. We visited many of the same cities that I had seen twelve years previously; but what a change. I found Port Arthur and Fort William with continuous rows of buildings, making the two places practically one and the same city, with paved streets and the population engaged to the fullest extent, buildings and elevators going up. Where twelve years before only two elevators existed, I found elevators with a capacity of over 50,000,000 bushels. We then visited Winnipeg, and found it had grown to a city containing upwards of 250,000 inhabitants, with paved streets brilliantly lighted; splendid buildings not only for the trade of the country, but magnificent residences throughout.

This change was marvellous and it had taken place in twelve years. We then visited the different towns along the line of railway. Where villages had existed twelve years prior to that time, I found flourishing towns containing ten, fifteen and twenty thousand inhabitants. We stopped at most of those places and saw many of the inhabitants, and all were optimistic and believed in the future great development of that part of the Dominion. We visited Calgary, and where a few years before we had found a town of five thousand inhabitants, we found now a city claiming 80,000 or more inhabitants. The same thing existed; magnificent buildings erected and streets put in the best possible condition that modern science can produce in the way of pavements, sidewalks, and so on.

We then travelled across the Rockies. The scenery did not vary from that we saw on the first trip, but I noticed an enlargement of hotels in that district. Wooden buildings were being replaced by fire-proof structures, with three or four times the accommodation which then existed. In Vancouver the same thing met our eyes. There was an enormous advance from 25,000 or 30,000 population to 200,000, and in the outlying district there was also an immense increase in the population and the industries. In Victoria the advance was of a similar character. The great improvement and the optimistic feeling which prevailed among the people in the West were not absent from that locality.

Then to my astonishment, when visiting as far north as Dawson City, taking in the different islands, visiting the tanneries and the different cities that were dependent upon mining and fishing, and visiting Prince Rupert, the terminal of the Grand Trunk Pacific, it was a revelation to me, to observe the progress of the country and the magnificent scenery from Prince Rupert to Skagway. The natural scenery is unsurpassed by anything I have seen, and I believe, so far as the natural scenery is concerned, that it surpasses the beauties of the Mediterranean trip. My ideas were that a trip to the Yukon would be attended with some little inconveniences, and that we might not have the luxurious life we had in the steamers that plied between Skagway and Prince Rupert, but I was mistaken in that, because we went with the greatest comfort, and we arrived at White Horse, and from there a comfortable steamer took us 483 miles down the Yukon, and I had another surprise. My idea was that the Yukon was a small river with perhaps a few little tributaries where a little gold was washed down, but I found it was a river navigable for eighteen hundred miles. I found a tremendous mining development in that country. I was astonished at the vastness and greatness of that district. I speak of what I have seen, and I give you this as an indication of the great prosperity and the great advance and progress in Canada within the last twelve years of which I have spoken.

Now I will speak of the prosperity of my own province, New Brunswick, which I represent in this House. We have not gone ahead in the same rapid way as they have in the West. We could not expect it. The opening of the great Northwest brought about conditions that had not existed before, and took many people from our farms, to become growers of wheat and grain in the Northwest. This resulted in a great many abandoned farms both in Nova Scotia and New Brunswick, and I believe, and know in fact, that Ontario has suffered in the same way. To-day, however, I am happy to say that we are replacing those who left by farmers from the other side of the water. Last year a large number of farmers settled on these abandoned farms. This year I think three or four hundred farmers will settle upon farms in New Brunswick, and those are largely people who come here with experience and have means to pay, in some

cases, for those farms in full. Others are assisted by a company which is formed in St. John, and by the local government of the province. That applies, I think, to Nova Scotia. I do not know so much about Prince Edward Island, but I know that in Nova Scotia the same results are being obtained by the influx of population settling on farms which were practically abandoned.

There is one thing with regard to the lower provinces—we have not had any booms. We have not had any drawbacks of that description. While the business has not gone ahead as rapidly as we would wish for, at the same time when the depression occurred in 1907-8, I think the banner provinces of the Dominion of Canada with regard to the stability of trade were the lower provinces. The past year has been a banner season for all business men in the lower provinces. The general business throughout the country has been good. People have become more optimistic and the farmers are getting a better price for their products, and business generally has led to a greater prosperity throughout the whole country, than we have enjoyed for many years.

Every one knows of the financial stringency in the money market. What is that stringency due to? When a country goes ahead, as this country has for the last eight or ten years, at a rapid pace, what is the result? When we travel 'full speed ahead' the danger rocks become more dangerous, and that has been one of the drawbacks with regard to the present situation, that perhaps we have gone ahead a little too fast. Manufacturers have expanded more than was justified, perhaps. I do not know, however, that they were not justified in expanding, because their business was flourishing. Cities have expanded an enormous amount in what was absolutely necessary, especially in the building up of the new cities in the West. Every one has been in the same manner extending his business, and the pace at which we have been going must cause some little set back, naturally, or we do not know where we might land. I fail to see, however, that it is due to any cause in connection with agriculture, manufacturing, or any of the resources of the country. My observation in talking with the business people of the West was that the general business of the country was good. The crops, as we all know, were magnificent, and the moneys that have been received from them have paid off to a large extent the indebtedness which was incurred in the great Northwest. My idea is that the stringency was largely due to over speculation, and more especially the undue speculation in land, especially suburban and urban lots in the Northwest. Large profits have been made from those speculations, but I believe values have gone beyond all reason, and that the values of properties held in cities by speculators for speculative purposes are an absolute injury to that city, and must come down. Where these lands are utilized, and where they are used for residential, manufacturing and business purposes, it is a great advantage to any town or city, but I do not believe in land being held by speculators at a price that makes it impossible for one to get returns in any business. The high cost of living in residential districts is due in part to the cost of land and buildings. I do not believe it is in the interest of any city to encourage that sort of speculation.

I had one example in Prince Rupert which is a city under 3,000 inhabitants. I found that nearly all the lands in the city and surroundings were held by speculators. They had paid very large prices. Lots on the main street were held at from $800 to $1,000 a foot frontage. I saw a gentleman up there who was looking around for a place to establish a business. He came away feeling that the cost of acquiring a lot, and erecting a building such as would suit his purposes, was beyond his means, and he would not be able to do it effectually and make it pay. I say that is one of the great drawbacks under which Prince Rupert is suffering today. There is no doubt as to the future of that town. It will be a large and growing centre. The terminals of the Grand Trunk Pacific will be the means of placing it amongst the largest and best cities in the Northwest. But one of its great drawbacks is the fact that lands are held by speculators at such a price that they cannot be utilized by the ordinary individual who might wish to reside or to establish a business in that locality.

In the province of New Brunswick the system of assistance by the local government in bringing out immigrants and enabling them to buy lands has greatly added to the population, because a number of people are taking advantage of it, and I am happy to say that the action of the Dominion Government with regard to its grants for educational purposes is calculated in our province to give a greater interest to agriculture.. I hope that they will

continue their policy and that it will promote a feeling amongst our own people to remain in our own province, and cultivate more scientifically the lands, of which we have an abundance able to produce a crop and give good returns.

I wish also to refer to the transportation question. The expansion of railways in the western provinces has been enormous. Without those railways, of course, the country could not be opened up for settlement. In going through the country you find that the lands are taken up in the vicinity of the railways first, and as the branches are built, in extending through the agricultural country, you find the land taken up there, and brought under cultivation. I had the pleasure of coming from Edmonton to Winnipeg on the new Grand Trunk Pacific trains. I was astonished to find that nearly all that land was occupied, and beautiful fields of grain were then being harvested as we passed through. That development must continue. The face of the country there is only scratched over, and in order to afford opportunities for settlers, railways will have to be built in the future as they have been in the past. I look for no diminution in the progress of railway building in the Northwest, nor in fact in our country to the east. The building of railways and the transportation question has received the assistance of the Dominion Government to a vast extent for very many years.

The building of the National Transcontinental railway has taken an enormous amount of money, but it has remained for the government of the day, only within the last two years, to turn its attention to the harbours and facilities which are absolutely necessary in the great expansion of the trade of our country in connection with our ports on the Atlantic and Pacific. Last year I visited nearly every port from the Atlantic to the Pacific. I find millions of money appropriated by the Government in the development of these ports: Halifax, Quebec, St. John, Montreal, Toronto, and then when we get to the great lakes, the principal ports are all being provided with extra facilities. When you get to Vancouver on the Pacific Coast you find the facilities are absolutely inadequate for the trade that is already there. This work has been undertaken rather late, but as fast as those facilities can be provided by the Government, I have no doubt they will be utilized to the fullest extent. In the city of St. John we have been developing and the government has appropriated a large sum of money, but there are not wharfs to accommodate the trade that is knocking at our doors at the present moment. And it appears to me it will be some years, before they will be able to overtake the trade. With the completion of the National Transcontinental railway and the completion of the Canadian Northern railway to the Maritime provinces, and the opening up of the country, I have no doubt that the ports in the Maritime provinces will be taxed to a great extent, and therefore we cannot have those facilities furnished too quickly, and they should be equipped with the most modern appliances, to meet the requirements of our import and export trade. With regard to the question of redistribution, I regret very much that in the redistribution which is about to take place, the Maritime provinces will again lose some representation. The province of New Brunswick will lose two, but I trust that the quality of our representation, will make up for the lack of quantity. Looking over the whole of this vast territory of ours, the great and unbroken resources, the mineral wealth of the Northwest yet unknown, the great country stretching thousands of miles, teeming with gold, silver, copper and coal, the fisheries of that great Pacific coast which are only in their infancy, the waters teeming with all kinds of fish, the vast timber limits, the fruit-growing industry and, going as far north as Dawson City, the valleys on the river banks, capable of producing all the vegetables necessary, potatoes and such things, for the sustenance of a very large population in this far north district, when you see the prairie section with only six or seven per cent I believe of agricultural ground yet broken, when you see the development of mines throughout this whole country, and the advance that has taken place in all sections, when you see the vast areas to the north yet untouched that have to be opened up by railway communication —you may well ask what about the future. It appears to me that we can look forward to the future, feeling that the development that will take place within the next ten years will be even greater than anything we have witnessed in the past. While we have gone ahead at such a rapid pace that we must put on the brakes to some extent, still, looking at the resources of this country, and the enormous areas yet to be developed, I think it will justify us in ex-

tending our rail and water communications as far as is prudent, to provide the necessary facilities for meeting all the expanding trade that we must have within the near future. Any one who lives for another ten years will, I believe, see this country with a population of fifteen to twenty million, will see our exports trebled or quadrupled as they have been in the past, and will note an expansion of trade, of which one can form a very slight idea at the present moment.

In conclusion, I should like to say one word of a personal nature in connection with the late occupant of the seat which I now occupy. I allude to the Hon. J. V. Ellis. While I did not see eye to eye with him in politics, there was an intimate relationship between himself and me, for very many years. He was known throughout this Dominion, and was highly respected by all classes of the community in which he lived. It was with the greatest regret that we followed him to his grave, and I can only wish to add my quota of respect for him—for his independent views, and strong convictions on every subject, and the courage of those convictions and readiness to give expression to them as every member of the Senate knew, whenever he deemed it proper to speak on any subject.

Hon. Sir GEORGE ROSS moved that the debate be adjourned until to-morrow.

The motion was agreed to.

The Senate adjourned until three p.m. tomorrow.

THE SENATE

Ottawa, January 21, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

COMMITTEE OF SELECTION.

CONSIDERATION OF REPORT POSTPONED.

Hon. Mr. GIBSON presented the report of the Committee of Selection.

Hon. Mr. LOUGHEED—I gave notice that when the report of this committee was presented, I would move that Rule 30 be suspended so far as relates to the adoption of this report.

Hon. Mr. THORNE.

Hon. Mr. POWER—I do not rise for the purpose of offering any strenuous opposition to the motion made by the hon. leader of the Opposition—

Hon. MEMBERS—Hon. leader of the Government.

Hon. Mr. POWER—Yes, the hon. leader of the Government. Coming events cast their shadows before.

Hon. Mr. TAYLOR—A long time before.

Hon. Mr. POWER—I think the First Minister of England says: 'Wait and see.' This is a somewhat important report and members have not had an opportunity of perusing it, and inasmuch as I understand the House does not propose to proceed to-day with the general business, but to adjourn as a mark of their respect for the memory of the late High Commissioner, this report had better stand over until to-morrow, and it will be printed.

Hon. Mr. LOUGHEED—It may stand.

Hon. Mr. CASGRAIN—As notice has been given, it requires a majority of the House to have the motion stand.

Hon. Mr. LOUGHEED—I placed the notice on the paper at the instance of some hon. gentleman, desiring to meet the convenience of the House. However, owing to the objection having been raised by my hon. friend, I am quite willing to let it stand until to-morrow.

The motion was withdrawn.

Hon. Mr. GIBSON moved that the report of the committee be taken into consideration to-morrow.

The motion was agreed to.

RAILWAY ACT AMENDMENT BILL.

FIRST READING.

Hon. Mr. CASGRAIN introduced Bill (A) 'An Act to amend the Railway Act with respect to the Deposit of Plans.' He said: I may say the Bill passed this House unanimously last year, and as there is going to be a consolidation of the Railway Act, and as the minister virtually promised me to incorporate this measure in the Act, it is well that he should know that the Senate has not changed its mind.

The Bill was read the first time.

QUESTION OF PRIVILEGE.

Hon Mr. CHOQUETTE—Yesterday I read to the House from a letter written by Mr.

Andrew Holland, a paragraph which was very insulting to the people of Quebec. I had been informed that the writer was the Mr. Holland who is employed in the Senate. I was misinformed, because the gentleman referred to wrote me a letter stating that the letter in question was not written by him, nor had he any knowledge whatever of the communication until he read it in the Citizen. It is only fair to state that the writer of the letter is not employed in the Senate and has nothing to do with this body. Therefore I think it is not worth mentioning the name. A man writing such a letter does not deserve to be mentioned.

DEATH OF LORD STRATHCONA.

Hon. Mr. LOUGHEED—It is my sad duty to make some few observations on the death of the Right Hon. Lord Strathcona, High Commissioner for Canada, who early this morning died at his residence in London. His career was probably the most varied, unique and successful that we in Canada know. It is doubtful whether any page in romance affords as interesting and as picturesque a career as that of the late Lord Strathcona.

Born in 1820, it is a far cry from the humble position which he occupied in a small town in Scotland to that which he occupied at his death, of being one of the most commanding figures in the heart of the Empire. Coming to Canada at a period when men were living who lived when Montcalm and Wolfe had fought on the plains of Abraham, he began to carve for himself that wonderful career with which we are to-day so familiar. Subjecting himself to all the hardships, the rigours and adventures common to the Hudson's Bay outposts along the northern fringe of Canada, he surmounted every difficulty until he reached the highest position in the gift of that most remarkable company known as the Honourable the Company of Adventurers trading into Hudson's Bay. It may be said that the association of Lord Strathcona with the Hudson's Bay Company has created for it that deep interest and admiration with which it has been regarded within the Dominion of Canada.

No man in Canada has been more identified with the opening up of our great systems of transportation than has Lord Strathcona. Canada is deeply indebted to him for his invaluable services in promoting the sale f Rupert's Land to the Government of Canada, and thus rounding out the great scheme of confederation which statesmen of that day had in view. Upon Canada entering into possession of that Western territory, Lord Strathcona at once enlisted his genius to opening it up by most modern means of communication. Joining forces with Mr. J. J. Hill, probably the greatest transportation pioneer of the United States, connection by land and water was opened up with the United States, giving access to Rupert's Land through the transportation systems of that great country. To Lord Strathcona, Canada is greatly indebted for the building of the Canadian Pacific Railway. No man in the courageous group who entered upon that herculean task assumed such a heavy burden as the late Lord Strathcona. His courage, his foresight, his invincible nerve and his unlimited faith in Canada were probably the greatest factors enlisted in building up that enterprise which may be said to-day to be the greatest transportation system in the world.

As a diplomat Canada is greatly indebted to Lord Strathcona. Probably no man in Canada has exercised the high office of diplomacy in behalf of so many troubled questions as did the late High Commissioner. During the first Riel rebellion his good offices were enlisted by the Government of Canada toward bringing into harmony with law and order the seditious elements which then proved so great an obstruction to the settlement of that Western country. Between that period and his occupancy of the office of High Commissioner, the diplomatic services rendered by Lord Strathcona to Canada were of inestimable value.

On his appointment to the office of High Commissioner, by Hon. Sir Mackenzie Bowell, then Prime Minister, and which took place some years after he had passed the allotted span of life, he then entered upon the most commanding position occupied by any man representing the Over Seas Dominions in the heart of the Empire. His services to Canada in that capacity have probably been greater than those rendered by any other Canadian. Lord Strathcona's presence in London, as representing the Dominion of Canada, was an asset of inestimable value. His princely and lavish hospitality, his beneficence as a giver, his philanthrophy in assisting and endowing not only many great institutions in Canada but elsewhere, have placed him

in the fore front of the great philanthropists of the age.

Thus in the death of Lord Strathcona Canada has lost its greatest pioneer and empire builder, a great diplomat, its most beneficent giver, its most picturesque figure, a man giving Canada more prominence than any other, and whose name for generations to come will occupy the largest space of any of its sons on the historic page.

As evidence of our esteem and regard and our regrets as a Senate I therefore move the adjourment of the House until tomorrow.

Hon. Sir GEORGE ROSS (Middlesex)—In common with the leader of the Government, I regret sincerely the occasion that has led to the adjournment. Evidently one of Canada's greatest men has fallen by the way. In such cases we usually say that we stand in the shadow of a great career; today we do not stand in the shadow, but in the luminous light of the greatest career of any Canadian with which most of us have been acquainted. I fully concur in what the hon. leader has said as to the various qualities which distinguished Lord Strathcona. First in my mind stands pre-eminently the resolute purpose which he showed from his early history, down to his latest hour. It required a resolute will in a young man of eighteen years of age to leave the sweet home associations of his native land, and embark on a career not very full of promise, not very bright in its early stages, and spend in obscurity and in loneliness thirteen years amidst the wildest parts of this great Dominion. Then, when transferred to the western district, the prairies boundless and uninhabited, he still showed that resolute purpose in grappling with the difficulties which pertained to his position, and in dealing between those with whom he associated and the great company he represented, in a manner to advance the interests of both. He has passed through difficulties that would have, perhaps, benumbed the strongest purposes of ordinary men. The most notable was the Riel rebellion of 1869. Few can tell how much we owe to Lord Strathcona during that troublous period in our history. The whole West was aflame: the integrity of the Government of Canada was at stake; he was confronted with violent, uneducated half-breeds, the greater part of them, who knew not what law, or order, or good government, was after British methods. In the face of danger to his life, in the face of the greatest difficulty, he met those who were at variance with the British Government and hostile to the institutions which we are endeavouring to transplant to that distant country, and courageously fought his way through, in all instances, as far as was possible, defending the British flag; and in all instances, as far as it was practicable, endeavouring to reconcile those people to a condition of things which they know now, and which they have known long ago, was much better for them than the condition in which they existed prior to that time. To achieve what he has achieved in that respect would be enough to embalm his memory in the history of all Canadians.

I agree with what my hon. friend has said, that Lord Strathcona was a great diplomat. He was the Commissioner of the Dominion of Canada to negotiate terms of peace and amity. In that he succeeded, and to that we owe the peaceable condition, some forty years ago, in which that country was found after his administration of it. He was also a resolute man financially. As my hon. friend has said, he was associated with that great Canadian, J. J. Hill, in opening up that northern country to settlement and to civilization. He invested what money he had to spare in extending the Northern Pacific and later when the Canadian Pacific was passing through that trying crisis in its history, in 1883 and 1884, he, along with some other of his Canadian associates, stood facing what appeared to be absolute bankruptcy, financial ruin to all of them, and so guided and advised the Government of the day, that the road was enabled to accomplish the necessary financial arrangements. He had also the honour of driving the last spike which connected the east and west, and opened up the prairies from Winnipeg through to the Rocky Mountains.

A man less resolute than he perhaps would have succumbed to the difficulties of the occasion, greatly to the loss of Canada, and greatly to the retarding of its development. I might say, too, that I believe he was a resolute man politically. I had the honour of being in the House with him for a number of years. I first met him there at my first session, in 1873. He was, then, in accord with the party in power, and in sympathy with its members, I believe, in all their political aspirations and in their efforts to develop the country. He found it necessary, as he thought, to abandon his political associations and ally himself with the party then in opposition. Every hon. gentleman knows that it requires a

great deal of political courage to sever oneself from his old associations. He did so. He did it openly and manfully in the House. I remember the speech in which he conveyed to us his final decision, and although he resumed his alliance with the party of his early days, in all his career as a politician he was courageous to follow his own convictions, and to do what he thought was best for the Dominion of Canada. That quality in his lordship is worthy of all admiration.

All the qualities which distinguished him in business, in politics, in the administration of a great trust, such as was committed to him by the Hudson Bay Company, are qualities which Canadians may well imitate. And now that he has passed away we cannot help but bestow upon him that admiration which every one must feel for a man of courage, a man of achievement, and a man of loyalty to the trust committed to his care. Lord Strathcona had a rich experience in life. Few men's experience is richer. From the humble home which he occupied on the coast of Labrador, how romantic it was, as the hon. leader has said, his trip down to the centre of Canada for a little while, then west to look out on the prairie covered with beautiful snow from Winnipeg to the Rocky mountains, at that time uncultivated and unsettled. It was a remarkable experience, extending from the time when he saw the very first dawn, shall I say, of civilization, to the latter days when he visited that country and found it peopled with teeming thousands; a wild prairie, formerly unproductive and practically valueless, had been turned into a blooming wheat field, where abundant harvests are obtained at the present time. He had a great experience in Canada, an experience of association with the greatest men that Canada has produced, with the founders of Confederation, with the men who laid the foundations of our great Dominion—to be associated with them, if nothing more, would be, in itself, a great experience. But his experience went further. He went to the heart of the Empire, as the hon. gentleman has said. He sat in Council with the leading statesmen of England. He had admission to the royal residences of Her Majesty, and afterwards his Majesty, the late King, and probably of the present King, and to all that was great in that centre of Empire; all that was literary, all that was profound, and all that was mighty and eloquent in administration he associated with in its stages. To pass by the circuit of the Hudson Bay outposts, around to the Parliament of Canada, and further to the Parliament of the Empire, is an experience which few men enjoy, and is an experience in which few men could have added the lustre which Lord Strathcona did to every part of his career. What shall I say? Speaking as a Canadian, what ought we to say, looking over his record here and abroad? He was in all essential respects a loyal Canadian. He showed that while he was in Canada. He showed that during the Boer war in organizing the Strathcona Horse. He showed that in representing us in the council of the nations, and in his philanthropy to Canadian institutions, when he was abroad. He showed that by his demeanour towards every Canadian with whom he came in contact. His house was always open to his friends. His friends were numerous here and numerous abroad as well. Generous hearted and philanthropic, he might be placed in the very first and highest rank, in the list of men of great distinction. To raise Canada in the estimation of the empire, is also a matter of great importance. Wherever he went, whether it was to meetings of council abroad, or whether it was to literary or educational gatherings, to have it said that the man who shines as an administrator is the man who represents Canada, is to give Canada a standing with those who may associate with him which it could not otherwise have obtained. If we have any heart at all, and if we have any love for men of the highest character, if we have any sympathy for those who have promoted our standing as Canadians, we cannot do otherwise than wear the badge of sorrow and regret. And no honour we can do to his memory, and no record of what he has achieved, will fully illustrate what is in the heart of every Canadian regarding him, for the people of Canada grieve over his departure, in the most regretful spirit that I can express. I second the motion for the adjournment of this House, and I hope that long, long years to come those who read of the men of our generation will not forget that among the great men of Canada, in its early history, was the man whose memory and whose passing away from us to-day is so much regretted.

Hon. Mr. CLORAN—I hope the House will pardon me on this occasion if I take the opportunity to offer also a tribute to the memory of the late lamented Lord Strathcona. I will not speak about him as the hon. leader of the Government, or the

hon. leader of the Opposition, has done, but will speak of him from the two points of view in which I knew him very well. Some thirty-four years ago, Lord Strathcona, then plain Mr. Smith, was a resident of the city of Montreal. For several years he was president of the St. Andrew's Society, and, as such, Mr. Smith did more than any man that I know of to build up social life in the metropolis of Canada. He consulted the interests of the different races, and made himself known throughout Montreal, and afterwards throughout the empire, as a peace maker. Mr. Smith, at that time, as president of St. Andrew's Society, attended nearly every entertainment given by the different national societies of the metropolis—St. George's, Caledonia, St. Patrick, St. Jean Baptiste and all the others. I was at that time president of St. Patrick's Society, and one night, at the annual banquet of St. Andrew's Society, sitting next to Mr. Smith, I said: 'Mr. Smith, how can you, at your age, go around to all these entertainments, concerts, balls and banquets?' He was about sixty-three, and I was a young man, and I told him that I found it hard enough to go to these entertainments, and he said: 'My dear Cloran, take my advice when you go to these places, especially the banquets, be frugal and eat little. You see what I am doing—eating very little.' I took his advice, and I think it was good. Sir Donald Smith was at the head of all movements to promote unity and to consolidate all the nationalities which make up the population of Canada. In that work, I think he accomplished as much for Canada as in the building of the Canadian Pacific railway. He bound the hearts of the people by the threads of love, and that is a noble work. It is true he bound the extremities of Canada by a band of steel. That was also a courageous work, but Mr. Smith, before he became Lord Strathcona, was laying the foundation of a happy nationhood in this country. Before he started in this courageous work of building up Canada's industries and developing them, he was uniting the hearts of the people. When questions of race and creed arose in this country, Lord Strathcona showed himself to be a peacemaker. On the two points I have mentioned, I wish to add my tribute to his memory as a great social—I will not say reformer—but social uplifter and peacemaker. His name remains in the hearts of the people as such, as well as the builder of an empire and as the advance agent of a great nation.

Hon. Mr. CLORAN.

The motion was agreed to, and the Senate adjourned until three o'clock tomorrow.

THE SENATE.

Ottawa, Thursday, January 22, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE ADDRESS.

DEBATE RESUMED.

The Orders of the Day being called:

Further consideration of His Royal Highness the Governor General's speech on the occasion of the opening of the third session of the twelfth Parliament, and the motion of Colonel the hon. Mr. Mason, seconded by the hon. Mr. Thorne, that an humble address be presented to His Royal Highness the Governor General in answer thereto.—

Hon. Sir GEORGE ROSS (Middlesex)—In speaking of the question before the House, my first word must be one of congratulation to the mover and seconder of the motion, upon which we will express a final opinion later on. We had from the mover of this resolution just such a speech as I expected from an hon. gentleman of his experience in finance, in banking, and in the administration of affairs of large financial corporations. I congratulate him upon the moderate view, shall I say the well balanced view, which he appeared to take of the financial situation. I do not agree with those who say that the sky is cloudless. I think it is by no means cloudless, nor could I agree with those who say that we are on the verge of a very serious financial depression. I think our position is one midway between the two. There have been more prosperous times in Canada than we have to-day, and there have been times of greater depression. It may take a year or two, as my hon. friend has said, before we pass through our present condition, into more hopeful and more prosperous conditions. But with the exercise of due discrimination, on the part of our large banking corporations, and with the natural swing of the pendulum, which I trust will come to Canada, as it comes to other countries similarly situated, the time may soon arrive when the sky will be cleared, and when Canada can march on with her large giant-like strides towards a greater financial and commercial prosperity. Of course, if we fol-

lowed our old practice—and my hon. friend from Hastings will remember what it was forty years ago—if there is anything wrong in financial circles, and if there is any depression, we blame the Government for it.

Hon. Mr. LOUGHEED—Hear, hear.

Hon. Sir GEORGE ROSS—I remember distinctly how loudly our political opponents blamed us about 1875-76-77 and 1878 for the depression which then existed. They sought a cure. Perhaps the cause was, to a certain extent, remediable, but I do not believe that governments can remedy every grievance. And yet, I am bound to say that where it lies within the range of a government to remove a grievance, they are bound to act. Now, what is the cause of the present depression? I do not know precisely. I do not know anybody who does know. I think it would require a man of the genius of Adam Smith to explain fully the situation. I am not going to blame the Government for the depression but, in looking around, if its members can find anything which would clarify the situation, and lift the cloud which is on the sky, then they should immediately apply themselves to enact such remedy. We complain of the high cost of living. What is the cause? It is a combination of a great many causes, and it will be the first duty of the Government—for it is universally admitted that the cost of living is high—to examine into those causes. Would it help the situation to remove the duty from foodstuffs? If on inquiry it would be found to be helpful for that purpose, then the Government should act. The Government of the United States revised its tariff last year for that purpose. In 1846 Sir Robert Peel removed the duty on corn in order to relieve the distressed condition abroad in Ireland, and which, in some respects, extended to England also. If it be found that there are trusts and combinations which stand between the producer and consumer, and exact an undue toll upon the produce that passes from the one to the other, the Government should exercise the power which it has under the statutes, and see that such trusts and combinations, if they do exist, should be at once abolished. In the same way, if transportation freights are too high, and the Government is empowered to regulate them through the Railway Commission, they should be immediately inquired into, and a just balance struck between the transportation companies' charges, and the producers, whose goods are by them carried into the markets of the world. I am not prescribing any specific; I could not do it, perhaps, with my knowledge of economics, even if I were to attempt it. I am simply indicating this; that there is a cause or combination of causes for the high cost of living, and the Government is responsible, so far as it lies within its power, to bring about a proper equilibrium between the producer and consumer, and see that the wrong, if wrong there be, is immediately redressed. I was glad to notice my hon. friend refer in the rosy terms which he did to the growth of our commerce and trade, and to the steady increase of exports and imports. It is very pleasing to know that for 20 years or more there has been a steady growth in the trade of Canada. That growth should be maintained, or at least promoted, by every means within the power of the Government of Canada. Trade will follow the flag; trade will follow sound commercial principles; trade will follow the enterprise of those engaged in it. All these are conditions which the Government controls more or less; and we hope that although under the late Government there was unbounded prosperity—such prosperity as Canada had never enjoyed—the advent to power of the present occupants of the treasury benches will not impair that prosperity. We hope too the present Government will not neglect the various opportunities at its disposal for increasing it, for the success of Canada depends upon the wise administration of commercial affairs. I may express the hope that my hon. friend from Toronto, who has made himself known to us from his place on the floor, will long continue to hold the moderate views which he now entertains, and give to us the benefit of his ripe experience in financial matters.

We heard from the hon. member from St. John (Hon. Mr. Thorne), whom we gladly welcome here, a very interesting story of two trips he took across the continent, the first one in 1901. It was a revelation to him, as it has been to every one of us who has crossed the Canadian part of this continent. He saw things that he had never dreamed of, so have we all. Little villages had grown into towns and become the nuclei of large cities, he saw the beginnings of large enterprises, and he came home pleased and

delighted with what he had seen, and hopeful as to the future. Twelve years later he went over the same ground. The little villages had grown into towns, and the towns into cities. Stub lines of railway had been extended hundreds of miles, transportation companies had been organized, and railway tracks gridironed the country. Everything was booming. Even the Rocky mountains seemed brighter the second time he crossed the continent. I congratulate him on the pleasant tale he told—the story of an hon. gentleman who appreciated what prosperity was. And I do most sincerely trust that the prosperity which prevailed for those twelve years under the late Administration will be taken as an evidence of what that Administration has done in promoting transportation, immigration, and the settlement of the country, and that there will be no decline in the high standard achieved by the late Government.

Passing on to the first paragraph, I concur very heartily in the expressions of sympathy to which these two hon. gentlemen gave deliverance with regard to the recovery of Her Royal Highness the Duchess of Connaught. Their Royal Highnesses, during their short stay in Canada have endeared themselves to the people of the Dominion by their kindly manner, by their interest in everything pertaining to the social and public life of the country, and by the assiduity with which they put themselves at the disposal of corporations, organizations and educational institutions in endeavouring to add to their interest and usefulness. I do not know anything occurring in many years that has pleased Canadians more than when they learned that their Royal Highnesses had returned to Canada to resume the duties of their high offices, and that Her Royal Highness would be well enough and strong enough to take her full share in the duties she has so far discharged so acceptably to the people of Canada.

I must proceed to notice one or two things in the Address which I think deserve our attention. As a whole I do not think the Address contains matter of such interest and importance as some addresses I have heard from the Throne, and I have heard quite a number since I first entered Parliament about forty years ago. The bill of fare, to use a common expression, is not very large. I do not know whether it is very nutritious or not. We will know better by the time it is consumed, and I hope we will not spend an unreasonable time around the table in disposing of the materials placed before us.

I notice the Address reports progress on the National Transcontinental railway. I must say I am a little disappointed that the progress has not been as great as we expected a few years ago. I am a little disappointed at hearing a report, whether true or not, that the character of that road is not to be maintained to the standard prescribed originally. I do not think a greater mistake could be made with that vast scheme than to lower the standard originally intended. Such lowering of the standard means an addition to the cost of transportation which might be very serious. It means depriving us of the honour which I saw in sight, of having one of the greatest railway systems in the world, constructed on the most approved basis, and calculated to open up a very large extent of country, already waiting for settlement. I hope my fear is groundless. The hon. gentleman when he speaks can tell us whether it is so or not. I am also disappointed somewhat in the progress made on the Hudson Bay railway. We have, I understand, about ninety miles of it completed. The road will exceed four hundred miles in length. There are very ominous rumours as to the adequacy of the terminal on the Hudson Bay, as to it being by no means the best terminal that could be found. I think it is not too late, if proper inquiry were made, to change from Port Nelson to Port Churchill, if the latter is found to be the proper terminal. It would entirely destroy the purpose of building that road; if it were found, as is represented, that ships could not enter the harbour. If these ships have to stand out four or five miles, and be loaded and unloaded, the means of transportation which the road was intended to provide, for western grain, would be hampered by conditions such as these. My hon. friend can tell us whether there is any truth in the stories we have heard, and whether it is the intention of the government to place beyond all possible doubt, the adequacy of the terminal at Port Nelson, for the purpose for which such terminal was acquired.

I am glad to notice one or two things in the Address, of which I think we can all appreciate. First is the construction of the large elevator at Fort William. That has greatly facilitated in the transfer of the products of the West to the sea, and to the

markets of the world. If other terminal elevators can be equally successful we can afford to have a few more. I am glad to notice that some provision has been made, or some inquiry made as to the necessary conditions for improving the safety of ships at sea. The terrible disasters such as occurred on the upper lakes last November, would be partially relieved, or their serious consequences would be materially reduced, if our upper lakes were properly lighted. That has not been done yet. It is one of the duties of the Department of Marine and Fisheries to see that it is done quickly. The loss of two or three hundred lives, and millions of property, is a serious matter. We had some time ago a great difficulty in navigating the St. Lawrence, from Montreal say to the Gulf, because of inadequate lighting of the route. Now it is said to be as safe to go by that route, either by day or night, as to sail in the open sea. If by the expenditure of a reasonable amount of money, or any money that would be proper under the circumstances, we would render sailing in autumn or at any season of the year less dangerous to life and property, I think the department should apply itself to that purpose. The matter is pressing, it is urgent, and should be attended to without delay.

I notice that the Bill provides a morsel which might require some time adequately to masticate, or perhaps ultimately to digest, namely the redistribution of the constituencies which I think will affect nearly every province of the Dominion. We have had no indication yet as to how the redistribution is to be accomplished. We have had several redistributions, one every decennial census since 1872. Some of them were very bad. Some of them were very good. The worst that I ever knew was in 1882. My hon. friend from Hastings will pardon me for referring to him, but as he and I were opponents in the House, and I was a material sufferer from that redistribution, he cannot blame me for saying a word about it. I do not think anything could be worse than the form of the Redistribution Bill. I am not going to attribute it to political motives, but nevertheless it was a curious piece of legislation. Some forty or fifty constituencies were disturbed in their boundaries in order to add four seats to the representation in the province of Ontario. If any map-maker, or any man designing to give four seats to the province of Ontario could work it out and apportion the four seats among forty or fifty constitutencies it would be one of the greatest achievements which I know of in legislation. It was done. What was its purpose? It did not equalize population to any great extent. It kept a number of men from being elected who, under different conditions, would have been elected. It strengthened the Conservative party to a considerable extent. I doubt if any man in this period of history will defend that Redistribution Bill in any of its aspects. The last redistribution we had in 1903 was accomplished by a Committee of the House, the report of which was acceptable practically to the House, when the question was considered in its final stages. In the old country they had a Redistribution Bill in 1884, prepared by Mr. Gladstone, and Lord Granville, on one side, and Lord Salisbury and Sir Stafford Northcote on the other side of the table, with some assistance from the government whips. They agreed upon the principle of redistribution and allowed a number of experts to work it out. No complaint was made as to the agreement between the leaders of the parties, nor as to the redistribution when it was made. There does seem some common sense in that method. There does seem some readiness to act upon principles of equity and justice. It seems a reasonable thing where the interests of both parties are equal, where the object to be attained is to get a fair reflection of public opinion, that the parties should agree to allow public opinion to express itself in as reasonable, and in as free a manner as possible; and that the power conferred upon the House of Commons should not be used to destroy the influence of one party or to magnify the importance of another. If this redistribution is accomplished as the last was in 1903, by a committee and reported to the House as such committees usually do, I think the Senate will have no trouble with that Bill. I would be exceedingly sorry if we had to revise it, which I do not think we would want to do, at all. It does not come within our purview. It is to a considerable extent a matter of domestic concern, and I should be exceedingly sorry if it were so badly done that our sense of justice would be shocked, that we would revolt at the idea of placing upon the statute book a Redistribution Bill that was not founded upon principles of equity and justice. There need be no fear of bringing any Bill, so founded, into this House. This Senate has rejected three Redistribution

Bills in its history—actually rejected them. A Conservative Senate did so, and no Senate can be more moderate in its views or more equitable in its opinions, judging from what we hear nowadays, than a Senate in which the Conservative party has a majority.

Hon. Mr. LOUGHEED—Hear, hear.

Hon. Sir GEO. ROSS—The Bill of 1874—I do not know whether it was justifiable or not, I am not going to discuss it on the merits—was thrown out. Sufficient for my purpose to say what occurred; it would be taking up too much time to discuss it. Another Bill was thrown out in 1899, and another in 1900. These three Bills were wholly kicked out of the doors for reasons which the Senate thought sufficient. I am not going to blame the members of the Senate. If it were an open question now, the facts of the case might be presented, to justify their action. I do not propose to do that, but what I do propose to say is that, if those redistribution Bills were rejected in this Senate for some good reason, this Senate in later days would not be very much to blame in repeating that action, if it were justified by the facts. I hope the facts would not warrant us in taking that course.

Then I notice in the Address that there is to be an increase in the Senate. We welcome any increase to this body, of men elected on proper grounds, who would bring to the Senate the qualities necessary to add to its dignity and influence. Manitoba, Alberta and Saskatchewan are entitled under existing laws to an increase of two members. British Columbia is not entitled by any law or any power within this Parliament, to an increase. That is no reason why it should not get such increase, if it were submitted in a proper and constitutional manner. We would raise no objections on this side of the House to any increase of the Senate that is made on a constitutional basis. These are features of the Bill of which we greatly approve.

I notice also that it is intended to keep up the pressure, shall I say, of public opinion with regard to the improvements necessary in agriculture. I think it is of first-class importance to Canada that all the moneys we have to spare, and all the energy that can be brought to bear upon the question, and all the scientific skill of the greatest experts in agriculture, should be utilized at the present moment to increase the productivity of our soil, and to increase the supplies that go on the market, from time to time, to the consumer. It is rather a curious thing, and it is not confined to Canada alone, that we have much fewer cattle in proportion to our population than we had ten years ago. Well, that means less competition; it means a more meagre supply of meat products; it necessarily means an increased price—and the same may be said of sheep and swine. We do not produce as much grain in Ontario as I think we should. Quebec does not yet grow enough wheat to feed it's own people, nor do any of the Maritime provinces, except Prince Edward Island, produce sufficient wheat for home consumption. Along all those lines intensive agriculture, the term commonly used, should be so applied that this wonderful country of ours, rich as the Garden of Eden if properly attended to agriculturally, ought to produce a much larger surplus of food products than it does now. Orchards would yield more abundantly than they do now, if properly treated. Waste lands that are unproductive should be made productive. It is not the fault of the soil or climate, nor of nature's bounty, that these conditions exist. I think it is the call from the cities and towns, the inconsiderate views impressed by farmers themselves upon their sons, the race for social distinction, and what else I cannot wait to say, that is increasing abnormally our urban population, and reducing in the same proportion the rural population. Some counties have fewer on their farms than they had last census, and little towns have grown largely at the expense of those rural districts. How is that education to be brought about? I think great good is being done by our present system, but the harvest is plentiful while the labourers are few. The cost of labour is too high for the farmer, he says. There ought to be some means of distributing the large number of immigrants who come to this country into the rural districts. How it is going to be done I do not know. The Government has its officials, and its experts, and can work that problem out themselves. Without discussing the causes of the present reduced productiveness of our soil, and our cattle markets, it is evident that something ought to be done, and done as quickly as possible. I am pleased, then, to commend the Government for what they have done in agriculture, in promoting safety at sea, and in the general administration of those departments.

Now, the Speech from the Throne is to me remarkable, not so much for what it contains, as for what it does not contain.

There are omissions which to my mind are very striking—inexcusable, I was going to say—and for which I can give no explanation whatever. For instance, why has the Highway Bill been withdrawn? It was one of the pet bills of the Government. It came here on its mission of usefulness, so it was alleged, twice. We are charged with having rejected the Highway Bill. We never rejected the Highway Bill, neither once nor twice. It was stated in the other Chamber a day or two ago that we rejected it. The Bill was amended; it was our privilege to amend it; it was much better constitutionally as we amended it than it was originally. And if it were brought in again, on a sound constitutional basis, I think the Senate would pass the Bill, if it thought it could do so constitutionally. Let me say that since the Bill was before us last session, I have changed my attitude towards it somewhat. I did not oppose it; the majority on this side of the House, in the amendments that we made to the Bill, did not oppose it; but I do not think the Bill has any right in this House. I do not think it is a Bill that can be constitutionally presented in this House. I think it is indirectly in violation of the principles of the British North America Act. That is my view in reference to the Highway Bills. I will give the reasons. We could have a Highways Bill in this House, with an amendment by the Imperial Government of section 91 of the British North America Act. The first question that arises: Has Parliament authority, without Imperial legislation, to grant a subsidy to a province to aid in the performance of duties for which the province is already receiving aid under the Federal pact? I do not think it has. When the British North America Act was passed by the Parliament of England, it divided the jurisdiction and the functions of government between the provinces and the House of Commons. We cannot transfer any function of government from one House to the other without Imperial legislation, that is clear. Otherwise we could pull down the whole fabric of Confederation. I do not think we have any such power. If we have no power to transfer the functions of the Senate and the House of Commons to the provincial legislature, then we have no power to appropriate money that belongs to the Federal Government to the uses of the provinces. That must be equally clear. Mr. Blake, in discussing the 'better terms' with Nova Scotia in 1869 or 1870, laid down this principle.

He said:

> That under the Union Act the public service of each Province shall be provided for out of the revenues thereof.

The public service of the province shall be provided for out of the revenue of the province. One of the public services of the province is to make highways. The cost of making and maintaining those highways is a charge on the province. He continues:

> —and not out of the revenues of Canada which were to be appropriated to the public service of Canada solely, and that thus the great grievance of the application of general funds to local services shall be removed for ever.

Now the Dominion Government started on its career with a certain source of revenue and a certain amount of revenue which were intended for its own use. Can the Dominion Government take the revenue which the provinces originally surrendered for its own exclusive use, and apply them to a different purpose? I do not think it can. I think that is quite clear. The compact between the provinces and the Dominion Government, in regard to the functions of the Government, as well as in regard to its financial considerations, was the product of an Act of the Dominion Parliament, practically a treaty, as Lord Carnarvon held, and as all authorities on the constitution hold to-day. As was stated in this House, and as stated in the other chamber by Sir Charles Fitzpatrick before he left that chamber, that is the foundation rule of the constitution, in regard to the matter. Now a Highways Bill contravenes that for the reasons I have given.

Secondly, I would say, granting that a subsidy may be given to a province for some special purpose, can the Federal Government enter upon the provincial domain, and expend such subsidy by its own officers, even with the consent of the provincial legislature or the order of the Lieutenant Governor in Council? I do not think it can. In the early clauses of that Bill such power was retained to the Dominion Government; it could build and maintain highways. The only rule of the constitution is that where a local undertaking is declared

to be for the general advantage of Canada, then the Government of the Dominion can take that local undertaking over. It then ceases to be local; it becomes national. The attempt in this Bill to get around that clause of the constitution was rather ingenious. After saying 'that the highways were to be taken over for the general advantage of Canada,' it said 'we will pay this money on the condition that the provincial legislature and the Lieutenant Governor in Council will agree to our so doing.' Now, I hold they cannot agree to surrender their power over the highways any more than they can surrender their power over education, or hotel licenses, or anything else of a local nature. It is not in their jurisdiction to surrender any power given to them under the constitution, except with the consent of the Imperial Government. If they were allowed to surrender under an agreement with the Dominion Government, any power they possess, they could surrender every power they possess, and our Confederation would cease to be a confederation. It would be a legislative union, and you would pull down the whole fabric of Confederation. I have here a remark of Lord Watson of the Privy Council, on that question. He says that the Dominion cannot give jurisdiction, or leave jurisdiction, with the province. It cannot give jurisdiction, and it cannot leave jurisdiction with a province—that is it cannot give the province more than it possesses and it cannot leave with a province anything it does not possess. The provincial parliaments could not give jurisdiction to the Dominion Parliament to enter on the domain of a province. If they have that jurisdiction, they possess it by virtue by the Act of 1867. I think we must get rid of the idea that either one or the other can enlarge the jurisdiction of the other or surrender jurisdiction to the other. Thus the Highways Bill is, ab initio. a violation of the constitution, and I would say to my hon. friend on a question of such vast importance, that before he introduces another Highways Bill, he ought to get the advice of the Supreme Court, and carry the case as far as necessary, in order that we will not be asked to legislate in the dark, and under grave doubts on such a question as is involved in the Highways Bill. Do not let it be supposed for a moment that the Senate is not inclined to help the provinces. We did not object to the Bill to grant aid to agriculture, because the Dominion has concurrent jurisdiction with the provinces. We were glad to give the provinces that assistance. But, when you come to subsidize the provinces, if it is for work which is under the jurisdiction of the provinces, if it takes from the Dominion treasury money which does not belong to the province, and which the Dominion holds as a trustee for the people of Canada, then you are travelling on very dangerous ground, and I do hope that our rejection of this Bill, or rather our amendments to this Bill from time to time will be a warning to the Department of Justice, and to the distinguished leader of the Government to see that the Senate is not asked any more to dispose of a Bill which I believe is not—though I do not claim to be a high constitutional authority and simply give a warning—to be within the purview of the House of Commons.

Let me go on a little further. I noticed several other Bills are being treated as having been rejected by the Senate and are not to be re-introduced on that account. For instance, the Highways Bill is not going to be introduced. The Branch Lines Railway Bill is not going to be introduced. The Naval Bill is not going to be introduced. Why this shivering on the shore? Why this dread of the opposition of the Senate, if these Bills are right? Britain had a Home Rule Bill in 1886. The House of Lords did not want it. Gladstone did not stop there; he introduced another in 1893. The House of Lords did not want that one. Then in 1911 the Government of the day simply said to the Lords; this Bill is absolutely necessary we think, and we will see that it does pass! But this Government of Canada at the present moment thinks the Highways Bill and the Branch Lines Railway Bill are good; but good as they are they must stand over until Providence comes to their help. It is not the will of the people they are considering in this case; it is rather the ability of the under taker to do a certain amount of work. And when he does it, he is quite sure that dead men tell no tales. How could they offer any opposition to the members of the House of Commons? They may rise in their shrouds and haunt them, and very probably they would, haunt the government for being so timid in a matter of so great importance to the Dominion. But whatever the ghosts of these senators may do, living senators in this Chamber have a right to expect more from a Government with a majority of thirty or forty, yet we get no more.

Let me go on to consider the next Bill which is not to be brought down, the Branch

Lines Bill. Why the hesitation to bring this bill down the second time? In 1910, a Branch Lines Bill, not in the same terms, but with the same objectionable features, was sent up by the House of Commons. Mr. Graham was then the Minister of Railways and Canals. We amended that Bill, but Mr. Graham refused to accept our amendments. He called for a conference. The conference was held and we agreed on a compromise Bill which both Houses accepted. That was, I think the Act of sensible men—but notice the political relation. We were a liberal senate, dealing with a Bill introduced by a liberal government, in a non-partisan way, as every one admitted. But when we deal with a Bill brought in by a Conservative Government on precisely the same grounds, and for similar reasons, then we are partisan. Now is not that unfair? Is it not absurd? I am surprised. I am not censorious and I do not mean to be discourteous—for we do not govern in this country by being censorious, and I hope we do not govern by being discourteous,—but we govern as Englishmen are said to govern by speaking out our mind. What right have we to be charged with partisanship? We dealt with a Bill from our own friends on precisely the same grounds that we dealt with the Bill brought in by the present Government, and for similar reasons. Why should that Bill not be brought in again? Have we got to that pass in Canada now; or has the Honse of Commons begun to be influenced by that high spirit of haughtiness, that they are not prepared to discuss with the Senate or allow the Senate to reconsider Bills that are amended? Is that the way to deal with the country. How is it in the United States when appropriation or revenue Bills are sent to the Senate, of which the Senate does not approve? Why, there is a confrence. On Wilson's tariff Bill the conferences were half as long as the discussions on the Bills originally, and resulted in a settlement. I am speaking to this side of the Senate and am prepared to say that if the Government has difficulty in accepting our amendments, we are prepared to go into conference. If we cannot agree, nothing happens. By the next session we may change our mind, or the House of Commons might change theirs. I would refer hon. gentlemen to the change which took place in Sir John Macdonald's mind, in regard to the union of Canada. He thought it should be a legislative union, and not a federal union. It was a sensible change; by no other form could the union have been achieved. Sir John Macdonald changed his mind in regard to the Franchise Bill introduced in 1885. The first Bill was brought into the House in 1883. It was not passed. The Bill that was finally passed, was very different from the first Bill. Every legislator knows that new conditions require new applications, of rules and principles, and to say that this Bill, if it is important to the country, should be withheld because the Government dread that the Senate might throw it out, is not the stand of high-class legislators, nor is it high-class statesmanship. There are sitting around the leader of the Government, in the other House, men who have changed their minds, men who have voted for the Naval Bill—and have thus acted the very opposite to the views they presented to their constituents. They have quite a right to change their minds, and perhaps others could change their minds on some of these measures if they thought it in the public interest that they should. There is no reason why the Bills should not be presented again.

Then we have the Naval Bill which is not to be brought down again. The reason given for that is rather peculiar. They thought the honour and dignity of the country could be better maintained by allowing the status quo to remain, rather than to face the effect of what they call the rejection of the Bill. Here is what the right hon. leader of the Government said in the other House a few days ago.

> It has been avowed and declared by leaders of the Opposition and by their organs that the Bill if introduced again under present conditions would again be rejected in the Senate. We have no reason to doubt that such is the determination of the hon. gentlemen on the other side of the House. Under these circumstances we do not regard it as desirable either in the interests of the empire or of Canada that the Opposition majority in the Senate should be given another opportunity of rejecting the Bill and of again bringing discredit to this Dominion and detriment to the empire. Nevertheless we are firm in our determination that these ships shall be provided, and we adhere to the declaration which I made on the last day of the past session, and which I take the liberty of repeating.

That is rather a grave statement to make. Last year there was an emergency. We all felt there was something in the air. We were troubled. I confess I was a good deal troubled. But as the session went on the emergency seemed to diminish.

Hon. Mr. WATSON—Evaporate.

Hon. Sir GEORGE ROSS—Evaporated, diminished in size and importance, and by the time we came to the discussion of the Bill in this House, nobody seemed to be afraid. The Government believing that emergency, as no doubt it did, and anxious for the protection of Canada and the Empire, brought in a Bill. Now there is no emergency, of course, or we would have the Bill. But is it sound policy, or is it statesmanship to have a Naval Bill only when there is an emergency? It would take three years to build the ships. Tremendous emergencies may arise within three years. And here the Government is sitting at rest, while the nations of the world are sharpening their swords, and laying the keels of great dreadnoughts from the Atlantic to the North Sea. And because the Senate of Canada rejected their Bill—amended or delayed their Bill rather—they will do nothing. We did not reject the Bill. We did not destroy one feature of it. We delayed it. But the Government is sitting, and letting the nations of Europe prepare against Great Britain. I do not call that statesmanship. Perhaps I do not know what statesmanship is. I would say that if the Empire were in danger last year, it is in danger this year. And I would say that it is always in danger, that no nation of the world is free from the menace of other nations. Did the United States begin to build a navy when there was an emergency? They began it twenty years before, in a period of perfect calm, not a cloud in the sky, not a menace from either side. With the foresight of a great people they said, 'The time may come when it will be necessary to have a navy. We will anticipate the future, and will build ships to protect our coasts and commerce.' They are still building them, and they are pretty nearly in the second rank of first-class nations in sea defences. There was no emergency when they commenced their navy. That was statesmanship. Was there any emergency when Japan began her great system of building battleships? The emergency came years after the keels of many ships for Japan were laid. They were wisely laid. They were anticipating danger, as you have to anticipate in every condition of national life, and when the emergency came they were ready, and Russia felt the shock of that tremendous blow which they administered on the sea of Japan, and the coast of Asia, in their defence of the institutions of their country. That was better statesmanship in Japan—that nation which marched fifty years ago from the ranks of barbarism—than we have in Canada to-day. We should not wait for a menace, or an emergency but we should lay the foundations deep and strong, and the time may come before the ships are built that an emergency may arise. The Government is losing time. They will be held responsible by the people of Canada, and the people of the Empire if an emergency should arise before the ships are gone to war, and before the strong arm of Canada is reached out to help the British Empire. They will be responsible for any injury or evil consequence that may arise, when we have to face the emergency in the North sea, or wherever we have to face it. That is my contention, and I do not think any public man in Canada, or anywhere else, would justify the manner in which the Naval Bill is being disposed of. The Bill is to stand over—I do not know for how long. There is no mention of that. We may begin to build battleships sooner than we expect, but in the meantime it is postponed. I think we should be prepared to face the evil day as soon as possible. When we delayed the last Bill in order that the people might be heard from, we did not delay the building of ships. Why within twenty-four hours of the defeat of the Bill in this House—shall I call it defeat?—the Government could, under the Act of 1910, proceed with the construction of these ships.

Hon. Mr. CASGRAIN—Hear, hear, as many as they liked.

Hon. Sir GEORGE ROSS (Middlesex)—They could call for tenders, but they did not. No, and on what grounds? I do not believe in the high mightiness of the Czar of all the Russias or any Czar under a democratic or any form of government. If their motive was that they should not act because they did not get their own way, then it was no motive at all. We said; 'Let it be delayed until we hear from the people.' They could dissolve the House next day, they could hear from the people, and they might hear something that would not be very agreeable. I do not know what they would hear. But they did not want to hear from the people. In six weeks from the defeat of that Bill, the people could be heard from, and if the people said 'Well done good and faithful servants,

go and build these three battleships, let us have them at once,' they would have been half, or a quarter built by this time. So that on both grounds their rejection of the Naval Bill is indefensible. First, it is indefensible, on the ground that they did not proceed under legislation they now have, and meet on the ground that they might have proceeded by reference to the people.

It is not too late to mend. It is never too late to mend. We objected to the Naval Bill last year on various grounds. If the House will excuse me, I will just repeat some of the objections we made. These objections can be easily removed without any injury to the feeling or to the amour propre of the government, and without any detriment to the country. These objections are stated seriatim in the address I had the honour to give at that time, and I will refresh the memory of hon. gentlemen by recapitulating them, if the House will permit me. My objection to the Bill was because it was unnecessary. Everybody admits that. That has never been contraverted by hon. gentlemen opposite. My second objection was that it established a line of cleavage in defence, between the two parties. That is a terrible and humiliating condition of things—two great parties at variance with each other on a matter of life and death, it never so happened in England, even in the dissensions that arose over the Crimean or the Boer wars. While the war was on, both parties locked arms and marched side by side, in parliament and out of it, for the defence of the honour of England. That is what we ought to do. The defence of Canada and the honour of Canada is not in the custody of one party more than the other. It is not a question of loyalty. It is a question of respect for the tremendous interests involved. I say there was no ground for the course taken last year. There should be no cleavage in defence. And if, in 1909, both parties were united—and the resolution which formed that union—that resolution which recognized the bonds that were established by parliament for the union of both parties on the line of defence—the resolution which bound the two parties was largely drafted or amended by the leader of the opposition to suit his purposes.

Hon. Mr. WATSON—The present Premier.

Hon. Sir GEORGE ROSS—The present Premier. And he wanted the thing speedily done. The word speedily is an expressive word, and was put into the resolution at his special request. In 1909 it was to be speedily done, and now it is 1914. Was there ever a ship that sailed so slowly as the three great dreadnoughts which the hon. gentlemen were to build? How long have they been in office? Since September 21, 1911. Over two years and not a keel laid, not a spike driven—nothing done. Is the ship rolling in the harbour? No, there is no ship to roll, and no harbour in which it is asked to roll. Let us unite without fear of what the consequences may be, upon some policies. This Senate is prepared to go so far as it can, constitutionally, and meet the views of gentlemen opposite if they will only give us the opportunity. I have said that the government has not provided for the defence of Canada, directly. Is it not very simple to frame a Bill that would provide for the defence of Canada directly—not a Bill in which we hire men to defend us, or in which we hire foreign labour to build ships, but a Bill to defend Canada directly? We have no evidence that the Bill meets with public approval, because it introduces a new practice in legislation not sanctioned by parliament: that is taking a vote in advance for three years' expenditure. Can a vote be taken for more than one year's expenditure? And again my objection was because it removed from the control of Canada, one of its elements of national defence, namely the three battleships proposed.

Now, can we get back to first principles, and in all these things find some ground of common defence? Last year I said we stood for the defence of Britain, from Australia to the pole. That was the position laid down by me in the Senate, and against which I have heard no protest from one side of the House or the other. Then I said, 'we stand for as many battleships of the most modern type as are required, at any rate to the limit of our resources.' That has never been objected to. I said: 'we stand, thirdly, for a permanent Canadian navy, to guard the coasts and trade routes of commerce, when Great Britain and all other nations are at peace.' Fourthly, I said: 'we stand for the construction of the navy and dockyards, using for that purpose the product of Canadian resources;' and so on, and so on.

That was our position last year. What is the position to-day of gentlemen on the

opposite side of the House? It is not for me to say, nor is it for me to make a policy for them. I could not do it, if I tried, although I do think it would be much better than the one they have, though it might not be acceptable to them. It is their duty, however, to see if some modus vivendi could not be found whereby both parties could agree upon a question of such vast magnitude. Now let them come down with their proposal. I cannot indicate what would be acceptable, for that would be traversing far beyond my position, even as leader of the Opposition; but let us have some proposal, which I think we have a right to expect, and which might very properly be called for. Not only have we the judgment of the members of the Opposition and the majority of this House, that the Bill was not a wise Bill, but we can quote the opinion of some great statesmen on the subject. I shall just quote the opinion of one gentleman who was Governor General of Canada, and a very acceptable one, Lord Lansdowne, which shows that the principle in this Bill is a faulty one. In a speech which he delivered in Ottawa just shortly before he left Canada, after the close of his career as Governor General, he spoke as follows, illustrating more particularly that whatever is done in defence of the Empire, should be unconditional, and with the full consent of the Parliament of Canada, and should not be in breach of our constitution or at variance with the principles of responsible government. He said:

Let me say frankly that in my opinion public sentiment in the great possessions of the Crown would be exposed to a great strain if the self-governing colonies were ever to be required to part with any material portion of the freedom which they now enjoy in the management of their own affairs.

It will be noticed that under the Naval Bill the terms and conditions, and arrangements were to be agreed upon between the Government of Canada, and His Majesty's Government of Great Britain, and under those terms and conditions we would necessarily part with some of our freedom. Lord Lansdowne did not think that could be done. He further says:

I have the honour of a very close acquaintance with a considerable number of your legislators here, and I will venture to say that there is no feeling stronger in their minds, and in those of their constituents, than the feeling that in purely constitutional affairs the Canadian recognizes the absolute supremacy of the Canadian Parliament.

No division of authority between the Parliament of Canada, and any other Parliament in our own affairs; that is sound doctrine. In the case of the Naval Bill, there was to be a division in regard to the naval policy of the Government:

Now, I do not believe that public sentiment here would tolerate any change depriving it of that authority, or transferring any portion—let us say, to an Imperial chamber sitting at Westminster.

If Lord Lansdowne had been speaking from my place on the naval policy of the Government, he could not put our objections more strongly and clearly than he did, and yet he spoke about twenty years before that policy was brought down:

Take for example a great question which is now engaging the attention of the public and Her Majesty's Government at home—I mean the question of Imperial defence. There is, I think, room for a great improvement in the existing conditions of things. There is no reason why the Governments of the great colonies and the United Kingdom should not agree beforehand as to what measures are to be taken with the military and naval forces at their disposal for the protection of large portions of our Imperial possessions. The part to be taken by the British and colonial forces respectively in manning the different positions might with great advantage be determined, and there are many other steps of the same sort which will readily suggest themselves to you, but if we are to go further than this, and have a covenant binding this country to place a certain proportion of men at the absolute disposal of the Imperial Government——

—ships would be the same thing—

—whenever it is called upon, I say frankly that I do not believe that such an arrangement would work.

Now, there is the opinion of an hon. gentleman who was Secretary of Foreign Affairs under the Unionist Government of Great Britain, the government of Mr. Balfour, and who is leader of the Unionist party in the House of Lords at the present time. What the government proposed to do is what he said he did not believe would work. Are we to be blamed if we take the same view? I think the Government should at once, in the matter of the navy, proceed with the building of dockyards. I think they should extend three-fold, or four-fold, the system at present in force for the training of seamen. If you built your dockyards you might make them large enough for dreadnoughts to be built on this side, if you want to take that line—I am merely saying that in passing, because I do not say that that is the best way to go on—but if you built your dockyards you can go on; and build the smaller ships required for

your navy. And if you go on training your men while those ships are being built you will have the men to man them. And if you think of building all the smaller sized vessels you will be able to have Canadian seamen to man the dreadnoughts built abroad. That is to say, you can begin building the smaller vessels in Canada at once, and by the time these are completed, you will perhaps have dreadnoughts on the stocks of a British navy yard. Or, take the other way, which does not seem to me so apt, build the dreadnoughts first, and then go on building the smaller vessels, under different conditions. Just now, to indulge in the vast expense of dreadnoughts in the present condition of public opinion in Great Britain, seems to be a little premature; but in that matter I would be guided by better advice than I have at the present time. If there is to be peace in Europe, we would not need those larger vessels, for England would have enough of her own to maintain her defence, but we might need the smaller vessels for coast defences, and these would be a small charge on the revenue. But these are matters of detail on which I do not absolutely bind myself.

Now for a few words in conclusion. I am somewhat distressed, I am bound to say, by the frequent references that are made in the other House to the partisan character of this Senate. I think they are in bad taste, and coming from the leader of the Government all the worse, because it is my contention that coming from his colleagues in that House, the charge is bad in proportion to the status of the colleague who makes the reference. If this is a partisan Senate it is a reflection upon hon gentlemen opposite just as much as it is upon those on this side of the House. We are not a divided Senate; we are one Senate. If the Senate is partisan on this side of the House, by concurring in measures approved by the Opposition and supported by us, what else is it, on the part of hon. gentlemen on the other side of the House, who approve of, and support measures brought in by the Government—a government representing the party to which they belong. Any representations made as to partisanship on this side of the House, refers to one side of the House as much as the other.

Let us look at that question for a while. Mr. Borden made some remarks in the House the other day, some very strange remarks, as recorded on page 28 of the 'Hansard.' Speaking of the Senate in reference to the postponement of the Naval Bill he said:

> The partisan conditions and misguided influence which occasioned the perverse and maladroit action of the Senate were not realized or understood either within the Empire or throughout the world.

Now could there be anything more caustic or more offensive than the terms there used? —'Partisan conditions,' 'misguided influence,' 'perverse and maladroit action.' This Senate ought to be abolished, forthwith, if it is perverse, if it is partisan, if its action is maladroit. Then the hon. gentleman has a colleague, Hon. Mr. White, who was also of the opinion that we are very bad. He frequently refers to the partisan character of the Senate. I will quote from a speech of his delivered just at the closing hours of last session, when he was evidently very angry with the delay in the Naval Bill. Replying to Mr. Beland he says:

> My hon. friend says he has the people; that I deny. Providence is on our side, I say, and there will come a time when a majority will not throw out a measure of this kind.

There is an appeal to Providence, and an appeal to the undertaker. It reminds me of the words of Mercutio, I think it was, who said:

> Of comforts——

let us substitute the words 'Naval Bill'

> —let no man speak. Let's talk of graves and worms and epitaphs.

Naval Bills are going to be carried after this by graves, and worms, and epitaphs. Mr. White says again, speaking of the Senate:

> I feel that a measure designed for the benefit of the whole Empire has been thrown out and nullified for merely partisan considerations.

And he says again:

> Any man whose hand can wield a hammer can break a statue, no matter how finely that statue may be wrought; and so, the partisan majority in the Senate can destroy a measure such as this, a measure of the utmost consequence and necessarily promoting the strength, unity and solidarity of the Empire. This is precisely what has been done—a body blow has been struck at the unity of the Empire.

And so, I need not go further for illustrations. That observation occurs at different places in his speech. Well, now, is this Senate partisan or is it not? If hon. gentlemen will refer to the position the Senate was intended to take in the constitution of Canada they will quickly understand that the Senate was not intended to be a mere

echo of the House. If the Senate is discharging the functions as originally intended, then it will do the duty which it was intended to do under our constitution. Now, if the Senate offers any opposition to the Bills of the House of Commons it is considered to be partisan. What was considered to be the duty of the Senate, with the founders of Confederation? I may be excused, Liberal as I am, if I accept the opinion of Sir John A. Macdonald, or Sir Alex. Campbell, or that of George Brown, but particularly of those two great Conservatives, and if I prefer their judgment as to what the Senate should be rather than the judgment of Mr. White or the right hon. Mr. Borden. Sir John Macdonald, speaking in the Legislative Assembly in 1865, when the Quebec resolutions were before the House, said:

There would be no use in an upper House if it did not exercise, when it thought proper, the right of opposing or amending or postponing the legislation of the Lower House.

That is what Sir John Macdonald thought of the Senate. It might delay, it might postpone, or amend.

It would be of no value whatever, if it were a mere chamber for registering the decrees of the lower House.

But what is wanted, now, is a Chamber that will register those decrees. Sir John Macdonald thought such a Chamber would be of no use. Whose opinion and judgment will hon. gentlemen accept? I stand, at this time, by the man called the 'Grand Old Man,' the 'Chieftain,' who seemed to have some appreciation of what was constitutional, and of what was constitutional practice. But in modern times men rise, come upon the stage, flit behind the footlights astonished at their own greatness, perhaps, who are disposed to legislate for us under modern conditions, and who have no appreciation of the functions of this Senate. Sir John went on to say of the Senate:—

—It must be an independent House, having a free action of its own, for it is only valuable as being a regulating body, calmly considering the legislation initiated by the popular branch, and preventing any hasty or ill-considered legislation which may have come from that body, but which will never set itself in opposition to the delibrate and understood wishes of the people.

We were to be independent, Sir John Macdonald thought. I am glad that he left that great legacy to this House. It is worth a great deal to the hon. members of this House to know that one of the Fathers of Confederation, and one whose right hand was ready and strong in drafting that constitution, thought the Senate should be independent. He says it should never set itself in opposition to the deliberate and understood wishes of the people. What are the understood wishes of the people on the Naval policy? We do not know. Hon. gentlemen are afraid to ask their opinion; or if not afraid, they do not do it anyway, and we must attribute their attitude to fear rather than to courage.

Hon. Mr. CASGRAIN—The majority was against it.

Hon. Sir GEORGE ROSS—Then let us see what Sir Alexander Campbell said, and he was for a long time Leader of the Senate:—

He did not think that a legislative Upper Chamber should bow to every breeze and constantly yield to every demand, and be content merely to reflect the temper and sentiment of the other branch.

Not content to reflect the temper and sentiment of so great a man as the Minister of Finance?

On the contrary, he held that when it had evidence sufficient to satisfy itself that the proposed measure was unjust, it was bound to resist, and public opinion, which generally came out right in the end, would sustain it in such an attitude.

We are ready to let public opinion sustain us. So said Sir Alexander Campbell, one of the founders of Confederation, one to whom every member of the House of Commons may well take off his hat, as Minister of Justice, as a great lawyer, as Lieutenant Governor in the province of Ontario, and as one whom we all delighted to honour. And what did Hon. George Brown say?—not a bad authority in some quarters; he used these words:—

The desire was to render the upper House a thoroughly independent body.

He was not afraid of public opinion; he was a Liberal; he was not afraid, whether the Senate was Tory or Reform, if it were an independent body:—

One that would be in the best position to canvass dispassionately the measures of this House, and stand up for the public interest in opposition to hasty or partisan legislation.

I do not know whether the Naval Bill was hasty; in fact my chief complaint against it, so far, is that it is not hasty enough. Mr. Borden proposed that the thing should be done speedily. Perhaps Mr. Brown would have censured the Government of the day for not proceeding with greater activity. Now, Mr. Wilmot, who was a distin-

guished member of this House, very clearly says:—

The Senate should be in a position to check hasty legislation and mere popular clamour, and give time to allow some public opinion to assert itself. We are not a mere recording body to register the Acts of the popular branch.

These are some opinions which have been expressed by the founders of Confederation, and for which we should have some regard.

The Senate must be reformed. I think that is a very important question. In order to bring the Senate into harmony with the other branch, something must be done to reform the Senate. Here is what Mr. Borden said on that point; you remember he made a speech last year on the same subject to which I called the attention of the House, when I was criticising the situation. Here is what he said the other day:—

If friends of hon. gentlemen opposite, appointed during their tenure of office and before the will of the people was declared at the last election, are disposed to force upon us——

Force upon whom?—another branch of the legislature that has no more original jurisdiction than we have—

—the question of the constitution of the Senate and the nature of appointments thereto—well, speaking for myself, and I think speaking for the great majority of the people of this country——

And I think he is not speaking for anybody else—

—we are ready to accept that issue.

Well, so are we. We are in the hands of the people just the same as he is. If he wants the constitution of the Senate changed, I suppose he could take steps to do it.

Another gentleman who is a member of Parliament, also objected to the constitution of the Senate. Hon. Mr. White, Minister of Finance, said:

I say that the constitution of the Senate is not in keeping with the principles of British representative government——

That is a profoundly absurd statement—

And the time will come, if we are to have action such as this on the part of that body—

That is, with regard to the Naval Bill—

—that their constitution must be changed and brought into accord with the principles of constitutional government in the Empire.

It reminds me of Canute moving his chair to the seaside, and saying to the tide, 'You cannot pass Canute's chair.' Here comes this personage, sitting in his chair in the House of Commons, and saying that the constitution of the Senate must be changed; and he says that it is not in harmony with the principles of British representative government. Why the constitution of the Senate of Canada is the only constitution of any of the dominions beyond the seas that is in any degree in harmony with the British constitution. The constitution of Australia is elective; the constitution of South Africa is partly elective, and partly nominative. Our constitution is more in harmony with the British constitution than that of any dependency beyond the sea. Hon. Mr. White says that must be changed. Well, let it be changed, but let it be changed according to the constitution. How is that to be done? Can the House of Commons do it? They can no more lay hands on the constitution of this House, than we can lay our hands on the constitution of the House of Commons. They have no authority to do it; no authority under the British North America Act to do it. Any amount of ranting on the stage, any amount of denouncing, any amount of clamour on the part of partisanship, does not affect the situation one particle no more than the ominous 'Nevermore!' of Poe's Raven could affect the political condition of Great Britain. If the constitution of the Senate has to be changed, it can only be changed with the consent of all the provinces.

Some hon. GENTLEMEN—Hear, hear.

Hon. Sir GEORGE ROSS—The British North America Act is a treaty between the provinces and this Dominion which was not then founded, but which was to be founded under that Act. Read what was said in the debates in the old legislative assembly on that point. Every man who was a leader of his party admitted it was a treaty. Sir John A. Macdonald, Hon. George Brown, D'Arcy McGee, Wm. McDougall; and in the conference which was held in London, Sir Leonard Tilley, and Sir Chas. Tupper; in fact, all the representatives believed it was a treaty that gave to us certain powers, at least that put the government of the country into the hands of two trustees. One trustee was to be the House of Commons; the other trustee was the Senate. One trustee had not power to oust the other. The House of Commons cannot kick us out; we cannot kick out the House of Commons. No matter how richly it may deserve such treatment we have no power to do it. The only power that can change either of the constituents, is the power that

created them. And what was that power? The power of the provinces. Newfoundland and Prince Edward Island did not agree to it in the Quebec conference. They said, 'We shall have a Senate, and nobody is to over-ride us.' New Brunswick said: 'We are going to have a Senate.' So did Nova Scotia; so did Quebec; so did Ontario; and the condition of giving us a Senate was to protect our legal and territorial rights, to protect our peculiar institutions such as they may be. 'We will give you a House of Commons to look over the vast concerns of this Dominion and to make the laws for the future prosperity of the Dominion of Canada.' Now, do you mean to say that body, which was created by that Quebec conference, with the consent of the provinces—that body subservient to the provinces—can go and destroy its creator? The thing is absurd; it is not consistent with any principle of common sense. If you are going to reform the Senate, go back to the provinces and ask them: 'Do you want a change in the Senate? Do you want a Senate at all?' That was the most absurd project yet made in the House of Commons—to abolish the Senate—as if the moon could abolish the sun; and as if the people of Canada could abolish the British constitution. Why, the thing is preposterous and next in degree of preposterousness—if that word be not too large—was to change from the nominative character of a Senate to an elective. They cannot do it. Would Quebec adhere to an elective Senate, or to its abolition? Would Ontario agree to it? I do not know whether it would or not. We had it at least for ten years, and we dropped it for the sake of Confederation, and I think we did wisely. Now, if hon. gentlemen would proceed regularly, and the Senate is tried by a proper jury, and is condemned to be guillotined after a proper trial, why, of course governments may go and come, in form, but governments in substance must stand forever; and whether you have a nominative Senate, or elective Senate, or no Senate at all, probably the Government of Canada will go on. The hon. gentlemen who are opposed to it, upon its present basis, may think they follow the Constitution, and agree upon a mode in which it is to be carried on in the future.

As a proof that the Senate is not partisan, I will give figures which I have selected from a return that was brought down to the House some eight or nine years ago, and which, by the courtesy of the Assistant Clerk of the Senate, was continued down to 1913. This return shows a number of Bills that were rejected by the Senate, or amended, as sent up from the House of Commons, and the number that was amended or rejected by the House of Commons as sent down from the Senate. The Conservative party had the control of the Senate for 36 years out of the 46; we are now in the 47th year since Confederation. That was a long lease of office, and now there is overwhelming anxiety because that control does not continue to the present time. Is not that an aspiration far beyond the importance involved in it, far beyond what one would reasonably suppose any member of the House of Commons would aspire to—36 years' control of the Senate? Well, what happened? In the 24 years of Conservative majority in both Houses, the Senate amended 26 per cent of the Bills that came up before it, and rejected 1.7 per cent. That is, the Conservative Senate amended 26 per cent of the Bills sent up by the Conservative House of Commons, and the Conservative Senate rejected 1.7 per cent of the Bills sent up.

How had the Conservative Senate the audacity to amend so many Bills sent by its own friends? Because it was manly and independent, and the members felt they were doing their duty. See what happened again in the twelve years, when there was a Conservative majority in the Senate, and a Liberal majority in the House of Commons. The Senate amended 22 per cent of the Laurier Government Bills, and 26 per cent of the Bills introduced by Conservative leaders. The Senate amended fewer Bills sent by the Laurier Government, than it amended Bills sent by the Conservative Government, when the majority in the two houses were in accord. Is that proof of partisanship?

Hon. Mr. POWER—No, it is a proof that the Laurier Government Bills were better.

Hon. Sir GEORGE ROSS (Middlesex)—I am astonished at the record of the Conservative Senate. The members rejected 4 per cent more Bills, than they had rejected under the other administration, but amended fewer. Then in the eight years when there was a Liberal majority in the Senate, and a Liberal majority in the House of

Commons, what happened? The Liberal Senators amended 36 per cent of the Laurier Government Bills. Never were so many Bills amended in the Senate, under any circumstances, as were amended when there was a Liberal majority in both Houses. Then what about the rejection of Bills? The Liberal Senate rejected 2 per cent of the Laurier Government Bills, as against 3 per cent of the Bills introduced by the Conservative Government, and 1 per cent when the two Houses were in accord, so it will be seen that we deal as freely and impartially with Bills sent by a Liberal House of Commons as we dealt with Bills sent by a Tory House of Commons. Is that partisanship? Last year we amended only 14 per cent of the Borden Government Bills, as against 36 per cent of Laurier's Bills and 23 per cent when the Conservatives were in control of the House of Commons. And we only rejected one Bill in those two years. If we had been half as busy doing mischief, as we were doing good, we would have rejected more than one Bill. The Bill we rejected was to grant a subsidy to the Toronto and Northern Ontario Railway of Ontario, and when it was brought in the second time we barely passed it. It was like the wound described by Shakespeare, 'not as wide as a barn door nor as deep as a well.' Is that a partisan record? Let me say I congratulate my hon. friends opposite that they were so fair with their own party, and with the Liberal Party when they were in power. Also I can congratulate the Liberal Party in the Senate in being so fair towards its own party in the House of Commons and, if any congratulations were at all in order, and I am a little doubtful, I would congratulate the present Senate on dealing so leniently and gently with the Bills of the present Government.

Now let us apply our energy to the solution of the great problems that lie before us. That is my politics whether I am here or elsewhere. Canada has to confront tremendous problems. We are on the margin of a future which no one can predict. We have a country as large as the continent of Europe. Lord Strathcona has predicted that we will have twenty or thirty millions of a population, within the next ten years. We are the forerunners of a tremendous destiny, which should weigh on the minds of everyone of use. If a navy is necessary for the defence of the empire let us make a Bill to which both parties will agree. And in whatever respect legislation is necessary, for strengthening the institutions of this country, for assimilating our foreign population, for furnishing suitable transportation, for deepening our harbours, for strengthening the ties between us and the empire, for extending our commerce on the seven seas, for standing as prominently as we ought to stand before the nations of the world as a great commercial people thoroughly independent—leaning on no arm for assistance, not even the arm of the empire—let us work out our destiny in our own way. Let us stop quarrelling about matters of party difference, and let us join hands. Let there be no bloody chasm between us, no waving of the bloody shirt of race or religious discord. The task is large enough to demand all the powers we possess. To that task this Senate, I hope, is as willing to address itself, as the House of Commons, or their representatives or any political body in the Dominion of Canada.

Hon. Mr. LOUGHEED—I have listened with a great deal of pleasure to the remarks which has fallen from my hon. friend, and more particularly to what related to those who moved and seconded the Address. His congratulations to those hon. gentlemen were couched in such gracious language that I am only too happy to adopt those congratulations as my own. The Senate is to be congratulated upon having two such hon. gentlemen as members of this body. The hon. gentleman from Toronto for many years has occupied a very representative position in the banking institutions of Ontario, and is regarded, and very properly so, as a reliable authority on great financial questions. We are fortunate in this body—where we are called upon particularly in the deliberations of our committees to deal with questions of finance—that we have amongst our number those who come in practical contact with such questions and problems as are involved in this class of legislation. My hon. friend from St. John (Hon. Mr. Thorne) occupies a very representative position in the commercial world of New Brunswick. And I am sure that his ripe experience and judgment will be of inestimable value to the Senate, and particularly to the committee on which I hope he will prove to be an active member. We hope those gentlemen will be spared for long years to give the Senate the benefit of their experience, their knowledge and their services.

We all appreciate most deeply the very gracious expression which fell from the lips of His Royal Highness as to the sympathy shown by the people of Canada in the seri-

ous illness of Her Royal Highness the Duchess of Connaught while absent from Canada during the recess. Their Royal Highnesses have so endeared themselves to the people of Canada as to elicit from our entire people not only the deepest anxiety and sympathy, under such circumstances as those to which allusion has been made, but also a deeply abiding and most friendly interest in all that pertains to their happiness and prosperity, no matter whether it be in relation to their public or private life, and particularly will the people of Canada continue to exercise their sympathy and hope for the restoration to a full measure of health and strength of Her Royal Highness. I also feel assured in saying that it is the wish and the hope of the people of Canada that their Royal Highnesses will see their way clear to continue for a substantially extended period in their present high office, the duties of which they have discharged with peculiarly marked satisfaction to the people of the Dominion.

Reference has been made in the Address to the extension of Canada's trade, and gratification has been expressed that, notwithstanding the financial stringency and depression of trade which have been experienced all over the world, Canada has safely passed through the ordeal. It is gratifying to note that our external trade for the nine months ending December 31 last has exceeded by over eighty millions of dollars the corresponding nine months of 1912. It is gratifying that our exports have very considerably exceeded during those nine months the volume of exports in the corresponding period of 1912. I find upon making inquiry as to the volume of our imports for 1912, that for the nine months ending December 31, 1912, they had reached $307,525,765, whereas during the period ending December 31, 1913, they had reached the very substantial and increased volume of $388,707,375, an increase of nearly $82,000,000.

With reference to our exports, I might say this is a matter upon which we may felicitate ourselves, inasmuch as for many years we have heard grave apprehensions expressed at the fact that the volume of import so far exceeded the exports. Our imports during the nine months ending December 31, 1912, amounted to $516,619,986, whereas the figure was slighthly exceeded in the nine months ending December 31, 1913, and showed the enormous amount of $517,532,014. It is gratifying in this connection also to note, notwithstanding the anticipated decrease in revenue, owing to the financial stringency and depression of trade to which I have alluded, that during the nine months preceding the expiration of 1913 the revenue was about $3,000,000, substantially in excess of the nine months ending December 31, 1912. We therefore may congratulate ourselves not only as a government, but, I think, as a people, that notwithstanding the world-wide stringency which we have very considerably felt within the Dominion of Canada, our trade statistics afford such a very satisfactory showing as that which I have pointed out. It has also been a matter for congratulation that the crop of 1913 has been so satisfactory, and has permitted the financial condition of Canada being placed in the comparatively satisfactory position which we to-day occupy. It is satisfactory to note that the crop of 1913 has been the largest ever produced within the Dominion of Canada, representing some 702,244,000 bushels of grain, exceeding substantially the crop of 1912, which was regarded as an extraordinarily large crop. It has been customary in the past for governments to make some little claim for the success of the crops. It is not the desire of this Government to usurp the position of Providence with reference to our harvests, but it has been customary I know to read between the lines in the utterances of past governments—I will not draw any invidious distinctions as to the governments to which I make reference—as to their being largely responsible for the success of the harvest. The early rains and the later rains, the shining of the sun, the falling of the dew, the growing of the grass, the flourishing of the crop, and the prosperity flowing therefrom have been largely attributed in past years to the waving of the magic wand of the Government of the day. But there is a branch of this subject for which the Government of the day may claim some credit. I refer to the marketing of the crops. This Government undoubtedly has given closer and more practical attention to this important subject than any government of the past. The organization of the Grain Commission, the placing upon our Statute Books of statutory enactments dealing with the regulation of transportation, of terminal facilities, of terminal grain elevators; these and all other matters which enter into the marketing of a crop, have received the

most practical attention at the hands of this Government. It has been a matter of very great satisfaction that the crop of 1913 was marketed fully four or five weeks earlier than in any previous year, and that congestion from which the country suffered for so many years in the past with reference to the transportation of the crop from the fields to the head of the Great Lakes and from there to the seaboard, was not repeated during the past year. It must be a matter of satisfaction to the agricultural community, and those having interests in the crops, that terminal elevators and facilities have been furnished to the extent that has been done by the Government. I think that I am justified in saying that the finest elevator in the world was last year constructed by the Government, and opened during October last for the storage of grain. Somewhat similar terminal elevators are being constructed now in Moosejaw, and at Saskatoon. Plans have been prepared for the erection of a somewhat similar elevator at Port Nelson. It is also, in contemplation, that similar elevators should be built in Alberta, and one upon the Pacific coast. The Government, I think, may felicitate itself, and the people of Canada, upon what is being done towards marketing the crops in a practical and expeditious manner.

Some attention has been given to the question of free food. My hon. friend touched upon that very lightly. He undoubtedly felt that he was on thin ice, and skated over the dangerous spots with a rapidity and adroitness which my hon. friend can do when he reaches a very dangerous question. I have been waiting for some time for my hon. friend's attitude to become known upon this question, although up to the present my hon. friends on the other side of the House, have not committed themselves very specifically to the remedy which should be furnished as to this particular difficulty. The remedy suggested by the leader of the Opposition in the House of Commons was the placing of food products on the free list. The tariff always affords a very convenient target for any attack that may be made with reference to any public difficulty. If the price of living is high, the tariff becomes responsible for it. If trade is depressed, the tariff of course is responsible. If money is tight the tariff should be looked into, and the remedy there found. I need not point out to hon. gentlemen that the tariff divides itself chiefly into two branches—the protection which is given to the farmer, and the protection which is given to the manufacturer. It is self-evident that the interest of manufacturers would be to have tariff walls as low as possible as to food. It is manifest that, if the manufacturer can secure cheap food for his artisans, it means lower wages, it means cheaper production. On the other hand if we are to have a properly balanced tariff, the agricultural interests must be fully considered along with the interests of the manufacturer. The agricultural interests are the greatest interests which we have in the Dominion of Canada, and no tariff could possibly survive, not only the criticisms of the public, but the practical results which must flow from a tariff, that did not give equal consideration to the protection of agriculture.

The question of cheap living is agitating the entire world at the present time, or, if I might put it, the question of the lessening or reduction of living expenses. The question arises: Would the lowering of the tariff on food products reduce the high cost of living? There is no evidence of this whatever, and yet such a statement is unhesitatingly made in the press, on the platform, and in almost all quarters where proper consideration is not given to the question. The Democratic party in the United States for many years have been pronouncing their denunciation of the high tariff of the United States. They made demands from time to time for the lowering of that tariff. Never, of course, have they been so successful as during the last year. The Democratic party in the United States undoubtedly reached power by appealing to the masses upon the effects of the reduction of the tariff on the high cost of living. Immediately they came into office, they proceeded to implement the promises which they had made to the public, and to carry out so far as they possibly could the promise that they made that the reduction of the tariff would produce the results, which had been anticipated. But what has been the result? We very well know that the agitation which for a year or more prevailed in the United States over the reduction of the tariff, produced to a very large extent a dislocation of the industries of that great country. And when the reduction of the tariff in that country was brought about, we had a consensus of opinion, the press in the United States,

agreeing that the price of living, since the reduction in the tariff, has considerably exceeded previous rates. The price of living in the United States since the adoption of the new tariff has substantially increased. I might instance the case alone of cattle being shipped from the Dominion of Canada, and from other cattle producing countries into the United States, and with what result? Of course, we are fully aware that there formerly was a very high tariff against cattle. We find unusualy large shipments of cattle produced in Canada being shipped into the United States. We find the Argentine Republic, and most of the republics in South and Central America, shipping their cattle to the United States. Shipments are coming from New Zealand, and from Australia, and yet we find beef higher to-day in the United States than ever before. This can be demonstrated beyond all doubt. Furtheremore I might point out this: the price of living has been steadily climbing since 1896; the tariff has not changed. My hon. friends opposite when in office had the opportunity of applying to the tariff the remedy which is now suggested in many quarters, but during those fifteen years of office, although living has been climbing steadily and consistently since their accession to office down to the present time, yet the tariff has been the same during those fifteen years or, if anything, lower than it was upon their accession to office in 1896. I was interested the other day in reading a speech made by Sir John Simon, Attorney General of Great Britain, where he was, in fact, placed upon the defensive in establishing that the increased cost of living in Great Britain was not due to free trade, but was due to causes entirely external of tariff systems. I recall a very extended inquiry in England, made some four or five years ago, into the different systems of the different countries, in which it was established conclusively that the cost of living in other countries in Europe, under a high tariff system, was very much lower than the cost of living in Great Britain. We raise through the imposition of taxes upon our food-tariff about ten millions of dollars a year. The taxes levied upon those classes of food which enter into the general consumption of the masses would not exceed ten millions a year. This distributed on a per capita basis, would not represent more than $1.25 per head of the population of Canada. I have no hesitation in saying that no hon. gentleman would say that the remission of $1.25 per head, made up of tax imposed upon food products, would operate as a practical reduction in the high cost of living. And then, on the other hand, let us assume for a moment that there was a remission of this ten million dollars. The King's Government has to be maintained and the money would have to be made up in some other way. And no matter how the incidence of taxation may be established, that incidence is going to fall more or less upon the masses, so that no matter what system might be devised, it would be utterly impossible to relieve the masses of the people from taxation, whether it be direct or indirect. I was very much interested in reading sometime ago the work published by the late Mr. Collier entitled 'England and the English,' in which he dealt in particular with the cost of living in Great Britain, exploding, I think, to a very large extent the great error which exists in the public mind that food products in Great Britain are taxed less heavily than in other countries in the world. I read from page 101 as follows:

> One may note just here the curious fiction that England is the land of free food, a fiction, but firmly believed both at home and abroad by the uninformed. As a matter of fact the receipts from customs duties upon the things that the English eat, drink, and smoke, plus the excise taxation of them, make together much the largest item of the Imperial revenue of the United Kingdom. Let us look at the figures. For the ten years ending March 31, 1898-1907:

Net receipts from customs.	
Tobacco and snuff	$608,500,000
Tea	289,000,000
Spirits	218,000,000
Sugar (last six years only)	175,500,000
Wine	69,500,000
Currents, &c.	21,000,000
Corn and grain (two years only)	12,000,000
Coffee	9,000,000
Total	$1,402,500,000
Net receipts from excise.	
Spirits	$ 884,500,000
Beer	629,500,000
Total net receipts from customs and excise	$2,916,500,000

Hon. Mr. POWER—If my hon. friend will pardon me, those articles on which those immense sums are raised are not the articles which the Opposition proposes to class under free food. He speaks of tobacco, spirits, etc.

Hon. Mr. LOUGHEED—Deprive the masses of Great Britain of those articles, which I have mentioned, and you will have a revolution.

Hon. Mr. KERR—They are luxuries.

Hon. Mr. LOUGHEED—The article continues:

This works out at an average of $291,650,000 yearly, or at $5,605,000 weekly, or at the rate of $690 yearly per 100 of the population during the last ten years. When it becomes thus apparent that the English are taxed for what they eat, drink and smoke at the rate of over $5,000,000 a week, the fiction of free food is blown to the winds, and the land of compromises rejoices in the possession of yet another strange contradiction which troubles nobody, and which is still used, by politician and layman alike, as though this at least were one of the fundamental trades of their insular social economy.

In a word, I would venture to say with reference to any attack which may be made upon the tariff, as a proposed remedy for the high cost of living, that the people of Canada are in no temper to permit any further trifling with the tariff. The agriculturists of Canada must be protected as well as the manufacturer, and any attempt to revise the tariff downward would be productive of protest from the whole agricultural community.

My hon. friend opposite made an allusion to that clause in the address dealing with the National Transcontinental railway, and made, I regret to say, a very sweeping statement as to the Government having reduced the standardization on that great railway system. I was under the impression that, last session of Parliament, such error had been removed from the public mind by the Government, if not in the Senate in the House of Commons. I make the statement now, that it is entirely erroneous and found ationless. I recall, upon the statement being made by my hon. friend, a communication which I received last session, upon this particular subject, and while it is somewhat lengthy, I will take the opportunity of attempting to set this matter right, and particularly with my hon. friend opposite, by reading it. I suppose my hon friend has reference to the grade in the road.

Hon. Sir GEORGE ROSS (Middlesex)—Yes.

Hon. Mr. LOUGHEED—I hold in my hand a letter from a prominent engineer, one of the foremost engineers in the Dominion, Mr. W. F. Tye. He says:

Ottawa, November 26, 1912.

Honourable Frank Cochrane,
Minister of Railways and Canals,
Ottawa.

Dear Sir,—As requested, I have examined the profiles of the changes recently made in grade on contracts Nos. 13, 14 and 15, districts 'C' and 'D' east and west of Cochrane.

These changes in grade will not decrease the haulage capacity of the locomotive, will not increase the running time of either freight or passenger trains and will not increase the operating or maintenance [illegible] e contrary, they will, by decreasing the cost of construction, reduce the interest charges.

The total cost of transportation is the sum of the operating expenses and the interest charges. A railway to handle a given traffic is the most effective commercially, or can handle the traffic at the least cost, when the sum of these two items is the least. Any change of alignment, or grades, which reduces the fixed charges without increasing the operating or maintenance expenses, is, therefore, an improvement in the effective standard of the road.

These changes will reduce the interest charges without increasing the operating or maintenance expenses, or decreasing the haulage capacity or speed of the locomotive, and are therefore an improvement in the effective standard of the road.

I consider the commissioner and engineers of the Transcontinental would have failed in their duty had they not made these changes.

Respectfully yours,
W. F. Tye,
Consulting Engineer.

Now here is a letter from the Commissioners on that same subject. It is as follows:

The Commissioners of the Transcontinental Railway.
Ottawa, November 21, 1912.

Hon. F. Cochrane, P.C.,
Minister of Railways and Canals,
Ottawa.

Dear Mr. Cochrane,—In reference to the charges made in the newspapers [illegible] the [illegible]dients on the Transcontinental railway have been injuriously altered, I beg to point out, that the only change in the gradients made by the commissioners since September, 1911, was to allow a few sags to remain, where there have been subsidences and across soft muskegs which it would be inadvisable, from an engineering point of view, to fill at present to be operated temporarily or permanently as velocity grades. The presence of such sags in the railway does not injuriously effect the economical operation of the road. The same trains, carrying the same loads, making the same time, with the same expense and the same degree of safety and comfort, can be handled over a road in which such sags or velocity grades exist as on a road of the same ruling gradient in which there are no such sags or velocity grades.

By introducing these sags, all of which are well within velocity grade limitations, the commisioners will:

1. Save a large amount of money in the construction of the railw[illegible]

2. Expedite the completion of the road;

3. Should it become advisable, for any unforeseen reason in the future [illegible] those sags, it can be done at one-half the cost that the present contract prices call for;

4. In one case it has been found necessary to raise the grade in a cutting, the material in which is so soft and wet that it is impractic-

able to construct a line on the original grades, and in this instance the grade has been kept well within the limits of velocity grade practise, and the gradient can be reduced at any time, if it should ever be found desirable, by filling in the lower portion with suitable material;

5. The consensus of opinion of the following engineers, who have been in the employ of the commissioner for years, in their sworn testimony before the Commission investigating the construction of the Transcontinental railway, is that velocity grades are not only unobjectionable, but might have been introduced permanently into the railway and would have greatly reduced the cost of the road:

Gordon Grant, chief engineer.

C. O. Floss, district engineer, district 'A'.

A. E. Doucet, district engineer, district 'B'.

A. G. Macfarlane, district engineer, district 'F'.

G. L. Mattice, assistant district engineer, district 'D'.

J. W. Porter, assistant district engineer, district 'B'.

A. N. Molesworth, late district engineer, district 'C' and 'D'.

H. L. Bucke, division engineer, district 'D' and 'F'.

I find that the gradients on which the original Quebec bridge was partially built were 1 per cent on either side, and the new bridge will necessarily be built to the same grades. I also find that the gradient approaching the Quebec bridge from the east side, including the Chaudière bridge, was of 1 per cent, which cannot be altered.

In New Brunswick I find in the middle of a division a grade 13 miles long of 1.10 per cent against east-bound traffic, and in Quebec in the middle of another division 11 miles of 1.10 per cent grade against westbound traffic, each of which will limit the hauling capacity of locomotives over these divisions to the same extent as if the whole division had been located on these grades.

I am sending, herewith, for your information, five Blue Print profiles, showing all the changes in gradients which have been effected since September, 1911.

Trusting this will be satisfactory, I remain,

Yours very truly,

(Sgd.) R. W. Leonard.

Mr. Grant's evidence is not yet in type, but from conversation I have had with him, which is confirmed by Mr. Staunton, I know his views to be as above stated.

R. W. L.

Hon. Mr. CASGRAIN—That is what I asked for last session and could not get. They said there were only two sags last session.

Hon. Mr. LOUGHEED—I do not know what was in the return I brought down last session, but I brought down returns. These letters establish, beyond all question, that the Government of the day, notwithstanding the fact that they inherited a burdensome and unfortunate undertaking, both in regard to the policy of the road and in regard to the enormous expense—this Government has endeavoured, according to the pronouncement of the best engineers, to make it the best possible road within their ability. I hope my hon. friend in view of the evidence, which is sworn evidence, will feel satisfied that the Government of the day has been maintaining the standard of the road, notwithstanding the reports to the contrary.

My hon. friend has expressed disappointment that the Speech from the Throne did not meet with his expectations. The sins of omission and commission, for which every Government has been charged in the preparation of the Address, would fill a very large volume. I know my experience has been, since I have been a member of this body, that there never has been an Address, or a Speech from the Throne, that has met the expectations of both sides of the House. The Government preparing the Address always regard it as a model of expression for the purpose intended, while hon. gentlemen on the opposite side have always wept tears at its omissions and commissions. On this occasion I regret very much that the Address has not met the expectation of ny hon. friend, but it certainly has afforded him an opportunity to give us a very eloquent speech, on the subjects with which it had to do.

My hon. friend expressed disappointment also that the Hudson Bay railway was not showing the speed, in construction, which we had a right to expect. Considering that this Government has been in office, a little ver two years, and has almost completed the road; and taking further into consideration the fact that the hon. gentlemen opposite were in office fifteen years and scarcely had fairly commenced it—notwithstanding the fact that they were dealing with it the whole of that fifteen years—it is certainly strange that my hon. friend should think there is sufficient ground for criticising this Government, to the extent which he has done.

Hon. Mr. POWER—Did I understand the hon. gentleman to say that the road was completed to Hudson Bay?

Hon. Mr. LOUGHEED—I say it is rapidly approaching completion, and we expect to be there, in the early part of next session. I would remind my hon. friend that when the late Government came into office in 1896, they undertook the construction of this road.

Hon. Mr. POWER—My hon. friend probably remembers that, at the time, when

the hon. member from Hastings was leader of the Government, we were fighting that very same question out here.

Hon. Mr. LOUGHEED—I know my hon. friend has always been unfavourable to the construction of the road, but that did not stand in the way of the late Government assuming the responsibility of it and entering upon its construction—at least theoretically—because so far as actual construction is concerned they did very little. My hon. friend need not exercise any undue solicitude as to the question of harbours, and all the other questions pertaining to making this road as successful and practicable as such an undertaking can be made. The reputation not only of the Government, but of Canada itself, is at stake, in the carrying out of this great undertaking to a successful issue. I have no doubt that with the engineering skill and ability, which the Government has been able to secure for the carrying out of that undertaking, everything which science and experience can bring to bear to the successful conclusion of that enterprise will be done.

I shall not anticipate any of the difficulties arising out of redistribution which my hon. friend has outlined. I am satisfied his sense of fair play, and his sense of what this Senate owes to promoting legislation of this character, will be sufficient to warrant us in anticipating a satisfactory issue upon that measure.

My hon. friend had to return to the question of highways. I did think that, if there was any question that my hon. friend would not venture upon, it would be the question of highways. I certainly had not intended to touch upon this question, and I had not included it in my notes, but now that my hon. friend has made reference to it, I should like to make some two or three observations on the subject. He expresses the greatest regret that the Government has not seen its way to promise a Highways Bill during the present session. Well, for two sessions we vainly struggled with my hon. friend to accept the Bill which was passed by the House of Commons, and with which the House of Commons had particularly to do. But my hon. friend and his associates did not see their way clear to give the country this Highways Bill. The number of constitutional difficulties which hon. gentlemen built up, as an insurmountable barrier to the passage of this Bill, still remain before the vision of my hon. friend. When a farmer is transporting his products to the market and finds himself sunk in the mud to the hubs of his wheels—anathematizes my hon. friend opposite for defeating this Bill and preventing the expenditure of this amount of money in improving the highways—he will be quite satisfied when it is pointed out to him that, constitutionally this thing could not be done. I hope my hon. friend will issue an encouraging statement to the farming community, struggling against all the disadvantages of the worst roads to be found in any country, pointing out to them those constitutional difficulties which my hon. friend has built up, not only to-day but during the two preceding sessions, and but for which they would have excellent roads through the rural districts of Canada. This Bill was conceived with the idea of assisting the rural communities of Canada. My hon. friend points out that the Government of Canada could not constitutionally make this grant to the different provinces, could not constitutionally assist the provinces in improving their highways. We may throw many constitutional difficulties in the way of working out a practical question, but I say to my hon. friend, and to hon. gentlemen opposite, that notwithstanding these constitutional theories, there was nothing to prevent the passage of that Bill, and the acceptance by the different provinces of the money which was placed in the estimates, and which would have gone to every province, and have been distributed amongst the provinces pro rata. It was only through the generosity of the Government that this money was voted. True, the Government of Canada was not called upon to vote money for highways in the provinces, but the Government did recognize that the provinces of the Dominion were recreant to the duty which fell upon them, of building proper highways for the accommodation of their people, and for the transportation of their products to the centres of population. That fact stared the Government in the face, and it stares us in the face to-day There is nothing that impresses itself so much on the minds of the public to-day as the conditions of our highways, and the inability of the municipality and local Government to grapple with this question. The present Government came in and recognizing those great abuses, which seem not to be sufficiently recognized by the municipalities, and the local governments, said, we will set aside a sum with the consent of the provinces for the purpose of improving those highways. Was that unconstitutional? Is it unconstitutional for the Government of Canada to assist the provinces of the Dominion for the purpose of carrying

out any enterprise? I am at a loss to appreciate the condition of mind, into which my hon. friends have worked themselves on this particular question. It is well known that some legislatures, legislatures in sympathy with the Liberal party, have been so violent on this question that they have deliberately sought to legislate upon it, in order to prevent the Dominion Government assisting their own provinces, from having better highways, through accepting the generosity shown by this Government. in the distribution of this fund. Is it unreasonable to say that this Government. having placed this money in the Estimates. and having said that it would be distributed, among the provinces of the Dominion pro rata—

Hon. Mr. CASGRAIN—In the Bill?

Hon. Mr. LOUGHEED—In the estimates —should not be permitted to carry out this legislation? When the House of Commons votes money of its own volition and motion it will do it on its own terms.

Hon. Mr. DAVIS—The amendments made in this House to that Bill would not prevent the Government from spending that money exactly as they said they would spend it.

Hon. Mr. LOUGHEED—When the Government said they would give the money in that particular way, they were not going to accept different terms from the Senate as to how that money should be spent. The function above all functions of the House of Commons is to vote supplies. When that House votes supplies, then it is to be expected when that House pronounces how those supplies shall be expended the Senate shall not intervene. and say they shall be expended differently.

Hon. Mr. WATSON—Then why introduce a Bill?

Hon. Mr. LOUGHEED—There was no necessity for introducing a Bill. The Government last session and the session before could have put the amount in the Estimates. But for the purpose of further assuring the provinces they were willing to put it in a Bill, and so give assurance as to how the money would be distributed.

Hon. Sir GEORGE ROSS (Middlesex)—You could not attach conditions in the estimate unless you brought in the Bill.

Hon. Mr. LOUGHEED—I would say in answer to that, that if the Government desired to apply the fund in a questionable way, they would have put it in the Estimates, and not brought down a Bill. The very objection taken by my hon. friend establishes the good intentions of the Government—namely, that that money should be expended for the advantages of the provinces, and not for the advantage of the government.

Hon. Sir GEORGE ROSS (Middlesex)—My hon. friend knows that if it went in the Estimates it must be spent by the local governments, but when put in the Bill it would have to be spent according to the wish of the government in power.

Hon. Mr. LOUGHEED—Was it unreasonable that the Government of the day in voting a substantial sum to the different provinces of Canada, a sum which the government was not called upon by the British North America Act to vote, a sum which the government voted out of their own generosity, should not exercise some supervision over the money and should not have the opportunity of preventing a province from attempting to destroy the government by the use of that fund? I am not casting a reflection upon the provincial powers, when I say that in the provinces of Canada, irrespective of the political complexion of the governments in power, questionable methods are resorted to in the expenditure of road funds. This Government didi not propose to expend that sum themselves: not a dollar of it could be expended without the co-operation of the provinces; not a dollar of it could be used without a mutual and co-operative scheme being arranged between the two governments.

Hon. Sir GEORGE ROSS (Middlesex)—Upon conditions laid down in the Bill?

Hon. Mr. LOUGHEED—The condition was, generally, that it should be subject to the executive of the province as well as to this government.

Hon. Mr. KERR—There was no condition that it should be uniform in the various provinces.

Hon. Mr. LOUGHEED:—One province might not appreciate the conditions of the other provinces.

Hon. Mr. KERR—They might refuse the money to one province, and give it to another.

Hon. Mr. LOUGHEED—In the two preceding sessions this money was voted by

the House of Commons in the way indicated, and I thought it unreasonable that this Chamber should intervene and say; 'notwithstanding that you have assumed the full responsibility that you have, by voting this amount, yet you must spend it as the Senate of Canada says, and not as you the Government of Canada declares.' My hon. friend has alluded to the constitutional difficulties surrounding this question. Constitutional bogies will not be appreciated by the farmers of Canada. That is a question which arose many years ago in the United States. In the North American Review of September 13, my hon. friend will find a very interesting article on that subject. While in the United States, the states of the Union claim that a federal authority can exercise no jurisdiction over the roads of the country, there it was worked out mutually, and the states were only too glad to co-operate with the federal authorities in carrying out a scheme mutually arranged between that authority and the states. The constitutional appropriation was supported chiefly upon some or all of the following federal powers: to establish roads, to regulate commerce, to declare war, to provide for the common defence, and to promote the general welfare. If the federal authority of the United States could invoke its general powers under the headings which I have just mentioned, so might the Dominion of Canada in building roads throughout the Dominion. The Dominion of Canada is just as much interested, as the provinces, in the means of transportation, in questions affecting law and order, in questions affecting trade and commerce, with all of which the highways have to do. It seems to me, with all due deference to the criticisms which have fallen from my hon. friends opposite, that to throw constitutional difficulties in the way of voting an important grant, is not serving any good purpose.

Hon. Sir GEORGE ROSS (Middlesex)—How can you as a Government, evade the constitution ?

Hon. Mr. LOUGHEED—The constitution could not stand in the way of this. There is nothing to prevent the Dominion from voting an amount of money to the provinces, to be expended according to a scheme determined by themselves and the provinces. Who will say them nay ?

Hon. Sir GEORGE ROSS (Middlesex)—Will you get the judgment of the Supreme Court on that ?

Hon. Mr. LOUGHEED—The courts could not intervene if the Dominion Government chose to vote a sum to be expended in any province, in accordance with a scheme arranged between the two Governments—the courts could not interfere.

Hon. Sir GEORGE ROSS (Middlesex)—Any court can declare a law unconstitutional.

Hon. Mr. LOUGHEED—But could not prevent by their judgment such assistance being given.

Hon. Sir GEORGE ROSS (Middlesex)—If my hon. friend is so confident that his judgment is right, let him refer the matter to the Supreme Court. We will not quarrel with the judgment of the court.

Hon. Mr. LOUGHEED—If any province should be so reluctant to accept money for the building of highways, this Government is not going into litigation over the question.

Now my hon. friend has recited a number of Bills which should in his opinion have been brought down, but which have not been mentioned in the Address, and which were not received in a friendly spirit by the Senate in previous sessions. Among these Bills was the Branch Lines Bill. I think my hon. friend was right in much of the criticism which he made as to that Bill not being rejected on partisan grounds. Of course I would point out, as my hon. friend very properly did point out, that the Bill was originated when the late Government was in office, and likewise was rejected last year. So that I am unaware of the charge of partisanship having been made as to the rejection of that Bill being well grounded. I might say with reference to the Bill, that it was not an unreasonable power for the Government of the day to ask, that they should be entrusted with acquiring the branch railways in connection with the Intercolonial railway. It was in the interest of the country that this should be done. I have no hesitation in saying that the Government of the country is placed in a position of disadvantage, by reason of the legislation which last session was rejected touching the leasing of branch lines of the Intercolonial railway. If similar legislation were passed with reference to any of the other great transportation systems it would be impossible for those systems to do business with advantage. To enact that the Government of the day, operating a great system of railways, should be handi-

capped, hard and fast, by legislation of this kind, so that they cannot possibly acquire a small road, which, during the recess of Parliament, might be acquired cheaply and advantageously, is to place upon them fetters which will render it impossible to operate that great system advantageously. I say unhesitatingly that if the Government of the day can be entrusted with the administration of the great expenditures which we are called upon to make,—with the expenditures of the revenue of the country, which are closely approaching $200,000,000,—it is not unreasonable to suppose that the Government should be entrusted with acquiring the small branch roads in the Maritime Provinces, which at the most would not exceed the amount limited by our legislation of last session. I think therefore it would be manifestly to the advantage of the country, and particularly to the advantage of the Intercolonial railway, that the Government should be given those powers.

(It being six o'clock the Speaker left the chair.)

AFTER RECESS.

Hon. Mr. LOUGHEED—My hon. friend from Middlesex made reference to the absence of mention in the Speech from the Throne, of the Naval Bill, and expressed his disappointment at no pronouncement being made by the Government, on that very important subject. It is almost needless for me to say that no matter how desirable the Government may have thought the reintroduction of the Bill would have been, any effort which might be made in that direction would go for naught. It seems to me that the attitude taken by the Government is the only reasonable one that could be taken by reasonable men. The antagonism which was shown to the Naval Bill, during the last session of Parliament, not only in this House but particularly in the House of Commons, indicated that there could be only one result with reference to that very important measure, and that would be a second rejection by this Chamber. Last session, or immediately after last session, Canada suffered sufficient humiliation, not only amongst its own people, but in the Empire and throughout the civilized world, at the inability of the Government to pass the measure which was submitted to Parliament, and which I venture to say, in the estimation of reasonable men, was the most commendable measure that could be conceived by our Parliament.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. LOUGHEED—It was a measure which bore the stamp of approval of the imperial authorities, and it was a measure which I venture to say received the approval of the loyal people of this Dominion.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. LOUGHEED—I can further say, with every degree of confidence, that never in the history of this Dominion has Canada suffered the humiliation which it did, when this body rejected that most important measure.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. LOUGHEED—Not only the Admiralty authorities, the Imperial Government, but the British public manifested the deepest anxiety on behalf of that measure. I suppose that never in the history of our Colonial Empire, did the Imperial Authorities manifest the same solicitude, and the same anxiety, never did the Imperial authorities place themselves in such a position of sympathetic accord with a Colonial Government as they did on that occasion, in appealing to the people of Canada that this measure should become law, not only on account of the practical assistance which such a measure would have given to the Imperial Government, but rather by reason of the moral forces and influence which it would have throughout all the Chancellories of Europe, in indicating that the Colonial Empire of Great Britain stood behind the Admiralty authorities of Great Britain as to a common system of naval defence.

Hon. MEMBERS—Hear, hear.

Hon. Mr. LOUGHEED—The Government of the day, therefore, did not consider it advisable or statesmanlike, having suffered a defeat in this Chamber concerning that measure last session, that we should again be humiliated by a second rejection of the measure. It did not choose to place itself in the position of having the press and public of Germany, of having the unfriendly rivals of Great Britain throughout Europe, express their satisfaction that the government of Great Britain had received a second defeat in the greatest colony of the empire. If my hon. friend can for a moment conceive that we were prepared to place ourselves in that humiliating position, then I say that he cannot form a proper estimate of that proud sensitiveness which must and

does characterize our own people, as to the expression of loyalty which they have a right to expect from the Parliament of Canada. My hon. friend took the ground that the absence of any mention being made in the speech from the Throne as to the Naval Bill was manifest evidence that there was no emergency, that the emergency of a session ago ceased to continue to be the emergency of the present moment. Last session this was the position taken by hon. gentlemen, that at the time there was no emergency and that there never had been an emergency. Hon. gentlemen on the Liberal side, in both Houses, assume to speak with greater authority upon that very important question than the Admiralty authorities of Great Britain. I would have thought that it should have appealed to every reasonably minded man, that there is no authority equal to the Admiralty themselves upon that very important question. Can we for a moment conceive that members of the Canadian Parliament, or, for that matter, members of the Imperial Parliament, would have the same information upon this very important question as the members of the Imperial Government of the day, who, of necessity, were closely in touch with all the facts of the national situation, and whose political destinies depended entirely upon their meeting the exigencies and emergencies which were then presenting themselves. If there is no emergency, why is it that every nation in Europe is to-day straining every nerve, straining its finances and burdening the backs of its people with heavy taxes, in the building of armaments, and for the purpose of what?

Hon. Mr. DAVIS—Fattening the armour trust.

Hon. Mr. LOUGHEED—I presume that is about the measure of my hon. friend's estimate of the events happening throughout Europe. That, I fancy, is about the measure which many hon. gentlemen have adopted in weighing this very important measure. What is the meaning to-day of that which we see transpiring in Great Britain itself, where we find the great Liberal party of Great Britain to-day almost rent asunder between those who are endeavouring to meet the emergency and those who view the situation like my hon. friend from Prince Albert? Dissensions have crept into the ranks of the party as to whether they shall maintain the ratio of armament building, or shall sit down and take the chance of attack from their enemies in Europe. So great is the emergency to-day, that it is beginning to weigh more heavily than ever upon the people of Great Britain. Germany, France, Austria and Italy are all taxing themselves to the straining point for the purpose of building up their armaments. Are they doing this for pleasure? Are they doing this unnecessarily? Are they doing this because it is easier for them to do it than not to do it? I say if there is any evidence concerning this great question, it is clear and irresistible that the national affairs of Europe are in such situation to-day as to demand from Great Britain that there shall be no cessation of building up the fleet to meet that Armageddon of the sea, which, they believe, must shortly come.

Hon. Mr. BOYER—Will my hon. friend allow me one question?

Hon. Mr. LOUGHEED—Certainly.

Hon. Mr. BOYER—Last November the authorities of the port of London advertised all through England, Scotland and Ireland for tenders for improving the port of London, which is the property of the English Government. It is a board appointed by the English Government, and by the 20th of December last a contract for an emergency expenditure entailing two millions of pounds was awarded to two German firms. Where is the emergency?

Hon. Mr. LOUGHEED—If my hon. friend lacks the comprehension to grasp the situation as it is to-day, and as it must appear to most intelligent men, then I cannot aid him further in grasping it. I can only say that I, as an individual, and I am satisfied a majority of reasonable men, will take the pronouncement of the British Admiralty on the question rather than that of the hon. gentleman from Montreal (Hon. Mr. Boyer) or my hon. friend from Prince Albert (Hon. Mr. Davis). My hon. friend, the leader of the opposite side, has expressed his disappointment that no permanent policy has been outlined by the Government, and consequently for that reason in his opinion, the government is censurable. I would like to ask my hon. friend wherein there can be any better evidence of permanency than that embodied in the Bill of last session. It provided for three of the most powerful dreadnoughts that can be constructed and these are calculated to form the nucleus of a navy with which by their recall Canada may enter either upon its

own defence, or co-operate with the naval authorities of Great Britain. If my hon. friends were sincere in their attitude they must know that in any event, no matter whether or not they should come into office again, and proceed with the programme under the Naval Bill of 1910, those ships would be absolutely necessary for the very beginning of that programme. These gentlemen have never been sincere on this question. Their insincerity is to be found recorded in the resolution moved by the leader of their party last session, where it was proposed that Canada should enter upon a programme which admittedly would take ten or fifteen years at least to carry out. The Liberal party at that time proposed that Canada should build two units, one for the Atlantic and one for the Pacific, and furthermore, that those two units should be constructed in Canada. It was proven beyond peradventure, that to enter upon such a constructive programme as that outlined in the resolution would, in the first place, involve an expenditure of fifty or sixty million dollars for the purchase of the units, and an expenditure of $75,000,000 for building plants; even then a ship could not be built until at least ten or fifteen years had passed by.

Hon. Mr. CASGRAIN—Months.

Hon. Mr. LOUGHEED—The Empire of Japan twenty years ago entered upon a somewhat similar programme, and they are not yet able to build all their ships. Most of their vessels are built in European waters and particularly in the dockyards of Great Britain. The very fact of placing that resolution on the records of Parliament, established that these hon. gentlemen are not sincere when they speak of coming to the assistance of Great Britain by the building of a navy.

I venture to say that my hon. friends are more anxious about the unity of the Liberal party than they are about the unity of the empire—

An hon. GENTLEMAN—Hear, hear.

Hon. Mr. LOUGHEED—And for that reason they cannot agree upon a programme looking to the common defence of the empire. Do we never realize the humiliating position in which we as the chief colony of the empire are placed? When we consider that the shipping of Canada, that is our foreign shipping, represents approximately half a billion of dollars per annum, our tonnage closely approaching a million, that our ships are sailing over every trade route of the world, and that we are not contributing one dollar towards the defence of that enormous volume of Canadian interests, but that we are relying entirely upon the taxpayers of Great Britain to furnish us with the defence for our own shipping—I say, that if we had a throb of national manhood in our makeup we would hold our heads in shame and humiliation. We rely upon the taxpayers of Great Britain contributing some fifty million pounds per annum for the British Navy and this for Canada's protection.

Some hon. MEMBERS—Hear, hear.

Hon. Mr. LOUGHEED—And yet we sit by, and idly fold our hands; we talk of doing something in the future. We talk of constitutional difficulties appearing in the way. We build up walls of statutory enactments and constitutional quibbles, and we label them 'Insurmountable for Constitutional Reasons,' and yet look with equanimity at the weary Titan bearing this enormous burden, imposing fifty million pounds of taxes upon the masses of Great Britain, that we with the empire may rest in security. I venture to say that every hon. gentleman present knows that never was Canada placed in so humiliating a position as when this Bill was rejected at the last session of Parliament; when the cables from Canada and from the United States carried the news to Germany, and to the other countries of Europe that were opposed to Great Britain, that Canada had failed to stand by the empire in its hour of peril. That being the case, I venture to say that the Government of Canada will not again submit it until it has some assurance that there will be a more loyal response than has already been given to that very important measure.

Some hon. MEMBERS—Hear, hear.

Hon. Mr. LOUGHEED—My hon. friend asked the question, and perhaps very properly so, why the Government of Canada did not enter upon a building programme under the Naval Act of 1910? I shall tell my hon. friends, with very great pleasure, why that was not done. Previous to the general elections of 1911, the Conservative party announced its policy, not only in the House of Commons but throughout the country. They expressed their disapproval of what is known as the Laurier Naval Act. The country supported the Conservative party in their condemnation of that Act. I venture to say, and I say it also with the greatest

confidence, that the Liberal party had no sympathy with or confidence in that Act.

Hon. Sir GEORGE ROSS—No, No.

Hon. Mr. LOUGHEED—I say that the Liberal Party previous to their defeat in 1911 had ample opportunity to show their faith by their works if they had chosen to enter upon a building programme under the Naval Act of 1910.

Some Hon. MEMBERS—Hear, Hear.

Hon. Mr. LOUGHEED—In the beginning of May 1911 they had received tenders for the building of those ships Those tenders lay in the Government offices. The month of May went by, the month of June went by, the Month of July went by, the month of August and the month of September went by, but those hon. gentlemen did nothing towards carrying out that programme—they who had expressed such anxiety and such solicitude for assisting Great Britain in the difficulties which were then looming up on the horizon. Did they show any anxiety? Not the slightest. The tenders were pigeon-holed. Inaction characterized the Government. All the passivity of indifference which could be exercised was done in absolutely ignoring the existence of those tenders. Was such evidence as this to be accepted that those gentlemen were sincere in carrying out such a programme as they had declared for? I say it most irresistibly established that those gentlemen had no intention of building the ships for which they had asked tenders. Then furthermore they had within their own grasp the information of their own experts, that if they had entered upon that building programme for which they had asked tenders, those ships would have been obsolete before they were built. And why was that? I say that the Government of the day outlined a building programme which they knew would not be carried out, and that they embodied terms into that programme which would necessarily warrant them in neglecting the carrying of it into operation. Hence, we find their experts declaring that the ships would be out of date, would be obsolete before they were constructed. That, I say, is one of the compelling reasons why the Government of the day did not proceed with the building thereof. Furthermore, in answer to what my hon. friend has said, I say there is no question, and I venture to say my hon. friend will not controvert the statement, that this Government had a mandate from the people to reject that Act.

Some Hon. GENTLEMEN—When?

Hon. Mr. LOUGHEED—At the last general election Rt. Hon. Mr. Borden, the present Prime Minister, announced in 1910 what his policy would be; then again in 1911 he announced what that policy would be. If there was any plank in the platform of the Conservative party in the general elections of 1911 it was that particular plank which defined most clearly and beyond all doubt what the attitude of the Government would be upon that question. Mr. Borden in the House of Commons stated emphatically that his first act would be to make a substantial contribution, by ships or otherwise, to meet the emergency of the hour. He further stated that, after that, a permanent policy would be promulgated. We went to the country, and the country pronounced upon it. Hon gentlemen opposite know, my hon. friends from Quebec know, that the province of Quebec, to almost a man, was unanimously opposed to the Naval Act of 1910.

Hon. Mr. DAVIS—Why don't you repeal it if the country is opposed to it? You have not got the courage.

Hon. Mr. LOUGHEED — I therefore affirm that the present Government had a mandate to declare and to introduce into Parliament the measure of last session which they did. If there is anything which has marked the career of the Government since they came into office, it has been the implementing of every pledge which it has made to the electorate. I challenge any hon. gentleman to point out wherein this Government has not shown by its acts the intention to fulfil every pledge made to the electorate at that time. Well, what do we find? We find this, that, notwithstanding the mandate given by the electorate to the Government, this Senate, during the last session of Parliament, undertook to do what? Undertook to bring about a dissolution. This Senate did not pronounce itself upon any alternative measure. If hon. gentlemen in this Senate, who opposed that measure last session, were sincere in a desire to be of assistance to the Empire, they would have proposed an alternative scheme. But was there any alternative scheme proposed by my

hon. friends opposite? No; their whole purpose was one of delay, one of destruction of the Bill. It was consequently moved that no action should be taken on the Bill until the matter was submitted to the electorate. Did hon. gentlemen think that a body appointed for life, irresponsible to the people so far as the popular will is expressed, would have constitutionally the right to bring about a dissolution of Parliament by sending the Government to the country, particularly after having come fresh from the people? This was the attitude taken by my hon. friends opposite. Hence we find ourselves in the position, of this measure having been rejected without any alternative measure being proposed, and without any declaration or pronouncement having been made by my hon. friends as to the assistance they were prepared to give to the Empire, at this time of stress and necessity. My hon. friend has expressed solicitude that something should be done; the next move is by my hon. friend. The Government has already moved in the matter. Its move has met with a distinct refusal on the part of this Senate to accept their measure, or to assist in formulating a measure which would be a credit to Canada, or of assistance to the Empire. I hope that after the expressions of solicitude made by my hon. friend, we may have some pronouncement, in the near future, as to where hon. gentlemen opposite do stand, as to whether they are willing to assist the Empire at all, or whether they purpose continuing the policy of delay—I might say of obstruction—which characterized the action of the Liberal party the last session of Parliament.

In conclusion, let me say to hon. gentlemen that while they talk of doing something, I would suggest that my hon. friends opposite should, on this question, show less anxiety for the unity of the Liberal party, and more for the unity of the Empire. I hope the work of the session will be satisfactory to all of us. I shall be only too glad to urge on the Governement to introduce any measures they may have, as far as practicable, in this Chamber. It has always been a matter of regret that we have found difficulty in introducing many measures which I think could be first brought down here with greater advantage than to the House of Commons. But, as I have said on former occasions, the desire has been natural on the part of ministers having portfolios in the Commons, to take charge of their own legislation, and therefore we have been handicapped in the matter of introducing such legislation in the Senate. I hope we may have a profitable and satisfactory session of Parliament, and make good progress with the business of the country.

Hon. Mr. POWER—I cordially concur in the sentiments which the Government leader in this House has expressed in resuming his seat. I hope we shall have a harmonious and pleasant session, and I hope the Senate will do good work that will redound to its credit. The hon. gentleman spoke of his discursive remarks. I must ask in advance the pardon of the House if my remarks are even more discursive than those of the hon. gentleman. It is a somewhat remarkable fact that the two subjects which have been most discussed today are subjects which really do not appear in the speech from the Throne. I wish to place myself on record as I really feel with respect to the Naval Bill. I cannot agree with the hon. gentleman who leads the Liberal party in this House, in expressing the opinion that the Government would have been expected this session to introduce again the Bill which was introduced last year, and which we decided should be referred to the people. I really agree with the leader of the Government that such a course could hardly have been expected. Further, I do not myself feel that, at the present moment, it would be a desirable thing to enter upon any very heavy expenditure for naval purposes. But, while I agree with the leader of the Government so far, there are certain things which he said in connection with the Naval Bill, in which I cannot concur. The hon. gentleman said that the Naval Bill received the approval of all loyal people in Canada. The hon. gentleman could not realize the force of what he said when he made that statement, because the fact is that I believe that a majority of people in Canada have never approved of the Government Bill. I am satisfied a great majority of the people do not now approve of it at all. It is not because these people are disloyal, it is because they do not think the scheme proposed by the Government is the one most in the interests of the Empire and of Canada. After all, the interests of Canada should come first with

us, and the interests of the Empire next. The hon. gentleman gave us to understand that this scheme for building three dreadnoughts was the scheme of the British Admiralty. One would imagine, listening to him, that the British Admiralty had disapproved of any other scheme, or certainly had not approved of any other scheme, and that if we did not endorse this scheme, we were flying in the face of the Imperial Government.

What is the fact? The fact is that the British Government and Admiralty approved of the Laurier scheme of 1910. Every one knows that the right hon. leader of the present Administration paid visits to Europe in order, apparently, to get the Admiralty to concur in his view. The Admiralty, naturally, were anxious to get help, and if they could not get what had been promised by the former Administration, they would be glad to take what was promised by their successors.

Hon. Mr. DANIEL—Do I understand the hon. gentleman to say that the Admiralty approved of the course which the late Government adopted with regard to the navy?

Hon. Mr. POWER—Yes.

Hon. Mr. CASGRAIN—Surely, and they designed the boats and sent out the blue prints.

Hon. Mr. DANIEL—One at a time.

Hon. Sir MACKENZIE BOWELL—It is handy to have some one to answer for you.

Hon. Mr. POWER—The hon. gentleman stated that the former Administration were not in earnest in dealing with this question, because they did not award the contracts before going out of power. Now, hon. gentlemen before it was time to let the contracts, there was a fight in the House of Commons and in the country which terminated in a general election, and the defeat of the late Government. I think it would have been an unseemly thing on the part of the Government, whose fate was hanging in the balance, to have awarded contracts for immense sums. If they had done that, then the hon. gentleman would have come in here and condemned them in the very strongest terms for having done what they had done. I think, as far as regards that particular question, the late Government did the decent thing; they left the Administration to whom the people had entrusted the power, the right to deal with this question. And if, as it turned out to be the case, the new Administration did not approve of the late Government's scheme, then they were able to set their own scheme before the country. The hon. gentleman stated that this question of the three dreadnoughts was that chiefly discussed during the election of 1911. No doubt there had been something said about it, but every hon. gentleman who travels through the country, or who reads the newspapers or listened to the speeches made during that campaign knows that outside the province of Quebec the three dreadnoughts cut a very small figure indeed. The great thing, the subject which was most discussed, was the Reciprocity Treaty. From one end of the country to the other, the patriotic feeling of Canadians was called upon, and they were asked to have no truck or trade with the Yankees.

Hon. Sir MACKENZIE BOWELL—Nothing of the kind.

Hon. Mr. POWER—To-day apparently even the leader of the Government goes down to Washington or New York and is exceedingly friendly with those gentlemen across the line, with whom we were to have no truck or trade.

Hon. Sir MACKENZIE BOWELL—Not a bit of it, it never was said.

Hon. Mr. POWER—Then the hon. gentleman criticised the amendment moved by my right hon. friend to my right, to the Naval Bill. Had the hon. gentleman forgotten that that resolution was identical with the amendment he moved to the Bill of 1910?

Hon. Mr. CASGRAIN—Verbatim.

Hon. Mr. POWER—Almost verbatim et literatim.

Hon. Mr. LOUGHEED—Entirely different subject.

Hon. Mr. POWER—The Naval Bill.

Hon. Mr. LOUGHEED—An entirely different Naval Bill. I would say to my hon. friend that I must have been justified in moving as I did, because they did submit it.

Hon. Mr. POWER—Something depends upon whose ox it is. On this question of loyalty, and on the attitude of the British Admiralty, it is only necessary to call attention to the fact that Australia has

adopted a policy which the former Administration adopted here, and that policy, I understand, has not met with any serious disapproval in England. More recently, or quite recently, the Dominion of New Zealand, which had, at first, adopted the plan of the hon. gentleman, has fallen back upon the plan of the former Administration. The people of England do not seem to think that Australia or New Zealand has done anything very disloyal, or improper, I think it is better not to use too strong language, in a case of this sort.

Perhaps I may be permitted, having said a word about this question with which my two hon. predecessors have dealt so fully, to deal with the Speech from the Throne as it has been submitted to us. I cordially endorse everything that has been said by the hon. gentlemen who preceded me with respect to the sympathy felt in Canada for their Royal Highnesses in connection with the serious illness of the Duchess of Connaught. His Royal Highness, in the Speech, said that during the serious illness of Her Royal Highness much comfort and support were afforded to him and the Duchess by the numerous messages of sympathy received from Canada. I wish here to assure Their Royal Highnesses that the sympathy was not confined to the people who sent messages. The people of this country universally sympathized with Their Royal Highnesses in their affliction, and rejoiced exceedingly at the providential recovery of the Duchess of Connaught. The whole people of this country unite in trusting that Her Royal Highness may shortly be restored to perfect health.

I do not propose to deal with all the clauses of the Speech, but there are two or three to which I think it well to refer. The fifth paragraph says:

> As a result of the recent decennial census the representation of the different provinces must be readjusted, as required by the British North America Act, and a Bill will be introduced for that purpose.

That is a right and proper thing to do. The only thing is that the redistribution measure should have come last year. The hon. gentleman told the House that the measure would be one that would commend itself, as I understood him, to our good judgment and sense of fair play. I hope that such may be the case. It would, perhaps, be wise for the Government to follow the example of their predecessors and allow the general scheme of redistribution, at any rate, to be referred to a committee containing representatives of both parties. That was the course adopted after the census of 1901, and it was the course followed by Mr. Gladstone in England in 1884. Speaking with respect to this redistribution measure, and speaking only for myself, I may say that if the measure is one involving a gerrymander, this House would be perfectly justified in declining to pass it without such amendments as would commend themselves to any fair minded man. My hon. friend to my right (Sir George Ross) referred to the fact that on previous occasions, when the Conservative party had a majority in this House, they did undertake to deal with measures which were, in a sense, redistribution measures.

The next paragraph says that a Bill relating to the Civil Service will be submitted for our consideration. I trust that the effect of this measure will be to put the Civil Service on a business basis, and also that provision will be made for retiring allowances to deserving civil servants, and to protect their dependents from beggary. I assume that to a certain extent the measure to be introduced by the Government will follow the lines set out in the report of Sir John Murray. The Government cannot go far wrong if they follow his recommendations.

The seventh paragraph says that among the Bills to be submitted will be measures providing for an increased representation of the provinces of Manitoba, Saskatchewan, Alberta and British Columbia in the Senate. The gentlemen whom we have representing those provinces in the Senate at the present time are of such a character that we should hail with pleasure an addition to their number, and when the representation of the Western provinces in the popular House has been satisfactorily adjusted I have no doubt this House will be prepared to concur in any Bill to provide for a reasonable increase in the number of Senators from that portion of Canada.

The ninth paragraph of the Speech says:

> You will be pleased to learn that satisfactory arrangements have been made with the various provinces under the Agricultural Instruction Act passed at the last session. My advisers are convinced that the co-operation between the Dominion and the provinces which is thus afforded, will accomplish excellent results, in assuring better agricultural instruction and needful improvement of existing methods of agriculture.

We naturally are pleased at the good results which are to flow from the co-operation of the Dominion and the provinces with

respect to agriculture. That leads one to express regret that the Government, by refusing to accept the amendments to the Highways Bill proposed by this House, and which would have put aid to roads on the same footing as that of agriculture, have prevented the good results which might have followed from the passage of that measure. While on the subject of roads I am sure that the remarks of the hon. gentleman to-day were not altogether in harmony with those he addressed to the House last session. Now the object of these roads is to enable the farmers to get their products to market readily and in such way that their carts and wagons will not be up to the hubs in mud. That was not the line that the hon. gentleman took last year. I shall just read the beginning of his speech:

It seems to me that hon. gentlemen who have been performing the role of critics of this Bill have a very great misconception of the policy, the nature and the origin of the Bill. Hon. gentlemen seem to be obsessed, if I may use that term, in its more courteous sense, with the idea that a great constitutional wrong has been done not only to the provinces, but to the Senate of Canada by the Government in the introduction of this Bill. Hon. gentlemen seem to be equally obsessed by the idea that a very great discourtesy has been extended by the Governement of Canada to the Senate on account of their failure to attach that importance which certain gentlemen think should be attached to this amendment which the Senate made to the Bill last year. If hon. gentlemen will look at the preamble of the Bill they should come to a different conclusion than that which they apparently have arrived at as the object of this Bill. If they will observe the language in the preamble of the Bill they will find that this is not a local undertaking. This has not for its object the improvement of roads in a particular municipality, or group of municipalities. It is not intended for a moment that this assistance should be given to the ordinary highway in a local sense.

Further on the hon. gentleman continued:

But there is a larger object than that in view. The Government has the object in view set out in the preamble of the Bill. I maintain that while highways in their local sense are peculiarly provincial undertakings, that this is more than a provincial undertaking. This is a interprovincial and national undertaking and does not come within the class of cases referred to by my hon. friends, and particularly the hon. gentlemen from De Lorimier, who cited to us last night section 92 of the British North America Act, in which he sought to bring this undertaking under subsection 10 of section 92, and within the language 'local works and undertakings.' My hon. friend did not peruse the section or follow it up as he should have done. Had he done so he would have found that this class of undertaking does not come within the jurisdiction of the province properly speaking.

Instead of roads to enable the poor farmer to get his products to market, there was to be a highway from the Atlantic to the Pacific, and this was to be utilized it was understood chiefly by the owners of automobiles.

Hon. Mr. LOUGHEED—I did not say automobiles, I said main roads.

Hon. Mr. POWER—That was the impression that would be naturally left on the minds of those who listened. The next paragraph is with respect to the National Transcontinental railway:

The work on the National Transcontinental railway has been rapidly advanced during the past year, and, notwithstanding the difficulties attending the construction of the Hudson Bay railway, and the provision of terminals, every possible progress has been made in bringing that important project nearer to completion.

I am satisfied that if that National Transcontinental railway had been left in the hands of the Commission, under whose management it was, up to October, 1911, the road would have been completed before this. It was so understood at the time, but the Government got rid of the old commission and appointed a gentleman named Leonard to fill the places of the four or five gentlemen who formed that commission. I do not myself know very much about Mr. Leonard, and I do not know very much about the way the work was being done, but there is a newspaper published in Winnipeg called the Telegram which, I understand, is in a sense the personal organ of the Minister of Public Works. Consequently any criticism which that paper offers on the policy of the present Government can be trusted as being deserved. The article opens with the statement that:

The growing dissatisfaction through the West over the slow progress being made in the construction of the National Transcontinental is being reflected in the animated comment of the press regardless of party affiliations.

And then it goes on:

The old commission, responsible for much of this trouble, was dismissed and new men appointed, but there was no improvement in action and efficiency. This is too clear. Mr. Borden's Government deserves the support of the people, and they have confidence in him, but there can be no question that a mistake was made in the selection of Major Leonard as chairman of the Transcontinental commission. This Mr. Borden's warmest supporters today freely admit. The only virtue the commission can claim is honesty. This is an excellent quality, but it does not tunnel mountains, bridge rivers, and construct railways. In the interest of the people, especially the people of western Canada, and with no desire

to damage Major Leonard's reputation, the Telegram desires to affirm that his work as head of the commission has been a distinct failure. The Telegram believes a mistake was made in choosing Major Leonard for this responsible position. He is not a railway builder, however good he may be in locating mining propositions. It is a pity, therefore, to spoil an excellent 'prospector' at the expense of the National Transcontinental project.

It is not necessary to go into details to indicate Major Leonard's unfitness for the position he occupies. The impression is growing that more progress would be made on the work if the youngest engineer in the employ of the commission were in charge.

Hon. Frank Cochrane, the Minister of Railways, is a busy man. He is an overworked Minister, and he will continue to be overworked as long as he is burdened with incompetents like Major Leonard in control of great undertakings like the Transcontinental. The suggestion is freely made that either Mr. Cochrane should take over the important work or a commisioner be appointed with the ability and skill to expedite the work. The East as well as the West is vitally interested in an immediate improvement, and will be satisfied with nothing less.

Apparently after two years experience of Major Leonard, the Minister of Public Works does not see Mr. Leonard with just the same eyes that the Minister of Railways does.

Hon. Sir MACKENZIE BOWELL—Does the hon. gentleman know that Mr. Leonard refuses to acquiesce in, or adopt the plans for the terminals in the city of Winnipeg, which brought forth the condemnation of that paper?

Hon. Mr. POWER—I did not know.

Hon. Sir MACKENZIE BOWELL—I am quite sure my hon. friend did not or he would not have read it.

Hon. Mr. POWER—And by the way, with respect to this Transcontinental, there was a Commission of Inquiry appointed to inquire into the maladministration of the old Transcontinental commission. Perhaps some other hon. gentleman may have the advantage of me, but I have not yet had the pleasure of seeing the report of that commission although it was appointed, I think, two years ago. I think the probabilities are that they have discovered a number of 'mares' nests.' I may be allowed to refer to the remarks made by the hon. gentleman in reference to two or three steep grades on the Transcontinental, one I think in the province of Quebec, and one or two in the province of New Brunswick. I cannot speak about the Quebec grade, but I do know, with respect to the New Brunswick grade, that there was practically a range of mountains to be got over which could not possibly be got over without adopting what they call a 'pusher' grade. These things, I understand, are not uncommon on railways, the mountains were too thick to be tunnelled through, and the engineers of the railway resorted to the expedient of using a pusher grade, and having a second engine put on to help the train over the grade.

Hon. Mr. CASGRAIN—Only a one per cent grade anyway.

Hon. Mr. POWER—Then something has been said with respect to the Hudson Bay railway. I am free to admit that after reading the report of the engineer making the surveys for this road, I laboured under the impression that, on the whole, the Nelson river terminus was the better, that it was preferable to Churchill. But since that time—that is two years ago now—we have had practical experience, which teaches a different lesson. It is quite clear that no ship can come within, at any rate, less than about five miles of the shore at Port Nelson, and every cargo that is put aboard a ship, or landed from a ship, has to be transferred by lighters. That is a very serious inconvenience and involves a great deal of additional expense. The harbour of Fort Churchill is a good harbour. It is not a large harbour, but I fancy it is large enough to accommodate all the ships that would be there at any given time. It is a good harbour; it needs no large expense to enable ships to resort to it, and what may surprise a good many of the hon. gentlemen, there is less ice in the harbour of Fort Churchill than at the mouth of the Nelson river. So I asked the hon. leader of the Government, when speaking on this subject, whether the road was completed yet to the mouth of the Nelson river. I understand that the surveys of both the Nelson river line and the Churchill line would go over the same route from the Pas to Split Lake. If the road has not been constructed east of Split Lake, I think the Government would be wise in considering whether it would not be well to adopt the line running from Split Lake to Fort Churchill instead of the other. It is perfectly clear from the experience that we have had, that if we attempt to locate a terminus at the mouth of the Nelson river, in addition to the fact that ships cannot get to the shore, we will need to have dredging going on there continually. The river brings down a great deal of silt,

and if you dredge to-day you will need to dredge again in a month. That means a continual heavy bill of expense. The hon. gentleman from Middleton, as well as most people in Halifax, are familiar with some experience we had with a number of vessels which went from Halifax during the latter part of last summer, to Fort Nelson with supplies and construction materials, etc., needed there for the purpose of the terminals, and of the railway. Not a single ship, I think, of the half dozen that went there succeeded in landing her cargo. One ship was lost, and the bulk of her cargo lost also. In the case of another vessel, the deck load was thrown overboard, some of it drifting ashore—the remainder went Lord knows where. There was the utmost want of landing facilities and other provision on the part of the employees of the Railway Department. There should have been a number of lighters there, and there was only one lighter for all the vessels, and the result was that some of the vessels came back to Nova Scotia, having on board the cargoes with which they started for Port Nelson. I think the hon. leader of the Government, who is a business man, must see that there is really a substantial reason for pausing before deciding that the terminal shall be located at Port Nelson.

There is another point to which I desire to call attention. There was a good deal of discussion on the subject of the tariff. I have never posed as an expert on tariffs: and a good deal has been said about the high cost of living. I understood the hon. gentleman to say that the reduction of the tariff would have no effect in the cost of living, and he gave as substantial ground for that view the fact that while there has been a very considerable reduction in the tariff on food products in the United States, there has been no perceptible reduction in the cost of living. I am reminded of an amusing story, but it is hardly suitable for the Senate.

Hon. Mr. LOUGHEED—Go on, let us have it.

Hon. Mr. POWER—As to the rapidity with which results can be obtained. It was only in the month of October last that the change took place in the United States tariff. We must remember, too, that at this time the dealers in the United States had very considerable stocks of food products on hand, and naturally if they could prevent it the prices would not fall immediately on the change in the tariff. Wait until next summer. I can point to one illustration of a contrary view to that which he has expressed. Some time ago Secretary Daniels, the Secretary of the United States Navy, had occasion to ask for tenders for supplies of beef for the United States navy. Tenders were presented by numbers of dealers in the United States, but Secretary Daniels did not award the contract to any of these tenderers. He gave it to a concern from Argentina, and saved, as has been pointed out, hundreds of thousands of dollars to the navy by so doing. That just shows that the removal of the tariff may have a very considerable effect. The hon. gentleman said that the farmers were anxious for protection, and that it would be an exceedingly unpopular thing with the agricultural class of this country to do anything towards reducing the duties on food products. As I understand it, the United States are in this position. They say to Canada: 'If you will remove the duties on American grain and flour, we shall remove the duties on Canadian grain and flour.' The hon. gentleman seems rather amused at that. This is rather a broad-minded thing on the part of the American Government to say. Is it the farmers who object to this line of action, the removal of duties on United States flour and wheat? Not at all. We have delegations from the West coming and urging the Government, beseeching the Government, to do that very thing. Now why does the Government not do it? The Citizen of Ottawa is a pretty staunch Conservative paper, and I find in yesterday's paper some information that may shed a little light on the attitude of the Government. This refers to the people who want to know about the farmers, and the reducing of the cost of living. The writer says:

> They may perhaps be able to find out the reason of the product of the Canadian prairies being sold cheaper in London and Liverpool than in Winnipeg or Montreal. Recent returns show that top grade flour, which costs $5 per barrel in Winnipeg, $5.10 in Montreal, $6.50 in Halifax, N.S., and $5.50 in St. John's, Newfoundland, sells at $4.18 in London; that patent which sells in Winnipeg at $4.80 per barrel and in Montreal at $4.90 sells in London at $4.06; baker's, which sells in Winnipeg at $4 per barrel and in Montreal at $4.10, sells in London at $3.60. It will be interesting to learn why flour produced in Canada and transported across a continent and an ocean can be sold much cheaper in London and Liverpool than in Canada. It must be sold at a profit over there,

or the flour millers here must be philanthropists of a very high order, who, out of sympathy with our already overtaxed British brethren, adopt this delicate method of assisting them to bear their onerous burdens, in sustaining the vast fabric of empire, at a juncture which calls for the support of the overseas dominions. If such be the case, Canadians might grin and bear it, although that would have little effect in filling a void in the stomach.

There is, however, another aspect of the case to which no doubt the commission will give its attention, although it is obvious in this one particular that the finger can be put upon a contributory cause of the high cost of living, which has become so acute in our centres of industry, as to alarm the mass of the workers. I allude to the earning of the milling companies, as can be seen from the published reports of their annual meetings. Many people will be surprised to learn that companies like the Lake of the Woods, Ogilvies and others have been earning 30 per cent on the preferred stock and from 14 to 18 per cent on the ordinary stock, while no less than 60 per cent was earned on the common stock of the International Milling Company, which made last year $500,000, or ten times the amount of its bonded interest. These are interesting considerations. especially if they be taken in relation to the watered stock which marks the formation, operation and financial procedures.

After all, the millers may not be such philanthropists as we imagine, but we hope that the commission will be able to find out some, at least, of the causes contributing to this very peculiar condition of affairs.

Now, hon. gentlemen, we can form some idea as to why it is reported that the farm population is opposed to the removal of the duties on American wheat and flour.

Hon. Sir MACKENZIE BOWELL—Does that article refer to the grade or quality of the flour that is sold cheaper in London?

Hon. Mr. POWER—Yes, the different grades are given.

Hon. Sir GEORGE ROSS (Middlesex): It is true of everything else. Everything is cheaper.

Hon. Mr. POWER—I notice the hon. gentleman made some reference to the German tariff. I read in the newspapers that, owing to the high cost of living in Germany, it is proposed to cut down the duty on food products.

The hon. gentleman made some reference to the way in which the Senate treated the Bill for the acquisition of branch lines for the Intercolonial railway, but I do not think it is worth while fighting the battles of last session over again. I think the Senate did the right thing in that case, and further, I believe the Minister of Railways agreed with the Senate in that matter.

There is just one other paragraph to which I propose briefly to refer, paragraph 11, which reads as follows:

In connection with the highly important subject of transportation of our products, the provision of adequate terminal facilities at our great national ports has received and is receiving the attention of my advisers.

What I was going to say is not said, I assure hon. gentlemen, from any partisan standpoint. I think that we should try to conduct the business of the country as a private business would be conducted. You cannot do it altogether, but still I think we should try to get as near as possible to the businesslike way of doing things. It will be remembered that some two or three years ago—I think it was before the present Government came in—a contract was made with Vickers Sons and Maxim for the construction of a dry dock to be used in the port of Montreal. Now, any business man would not dream of such an undertaking as that. There are three places, three districts, where dry docks may be necessary. Although not absolutely necessary, still it would be desirable to have a dry dock somewhere about tne mouth of the St. Lawrence river so that steamships disabled in the gulf could resort to it and could be refitted there. Then there ought to be a dry dock on the Atlantic coast, so that lame ducks could drop in and have their wounds dressed. And there ought to be, I think also, a dry dock on the Pacific. I understand the Government are themselves about to construct a dry dock in British Columbia; but I understand that, although this dry dock in Montreal has been in operation, or at least fit for operation, for the transaction of business for several months, it has never had a ship in it.

Hon. Mr. CASGRAIN—It has had a ship in it, but it never had any repairs made to it.

Hon. Mr. POWER—If there was one ship in it that is about all. Of course advice coming from this side of the House is not welcome by the hon. leader.

Hon. Mr. LOUGHEED—Oh yes.

Hon. Mr. POWER—I tnink the sensible thing to do would be to tow the dock down to Quebec and utilize it there. There may be some use for it there. The presnt Government are not particularly responsible for the dry dock at Montreal, but they have begun the construction of a dry dock at St. John, N.B., and St. John is to a certain ex-

tent in the same position as Montreal. A ship which becomes disabled on the Atlantic ocean is not going around Sable Island and up through the difficult and dangerous navigation of the Bay of Fundy to get to a dry dock at St. John. Of course St. John has many good qualities, and there are ways in which, when the tide is full, the harbour of St. John is a very good harbour. But it is not the place for a dry dock. Yet here the Government is proposing, I understand, to guarantee the payment of the bonds on this dock to the extent of four or five millions for a work which will necessarily be a failure. I am not saying they should do anything for Halifax. We have a fairly good dry dock there, and it may, in the course of time, need to be added to. But Halifax, or St. John's, Newfoundland, or New York, is the place to which a ship disabled on the Atlantic will naturally make. I hope the Government will keep their eyes open at any rate with respect to the undertaking at St. John. There are terminal facilities being constructed at great expense at St. John. Of these I do not know anything, but I assume they are valuable and useful works. I can speak, however, with a certain amount of confidence with respect to the terminal facilities which are being provided at Halifax. I am not going into the question now; it is too late, and it is a local subject; but I may say this: that the view which I ventured to express in this House last session with reference to these terminal facilities has been borne out by the facts. The scheme now in course of construction in Halifax is exceedingly unpopular, and calculated to do the utmost possible damage to the city. It is a rather singular thing in connection with the facilities at Halifax that the Chief Engineer of the Government railways, the Chief Engineer of the Intercolonial railway, and all the other officers of the Railway Department and of the Intercolonial railway, were completely ignored by the Government when they undertook to devise a scheme for those facilities. A gentleman whose experience had been chiefly in dealing with dredging in the St. Lawrence river, was brought down or instructed to go down to Halifax, and make plans. When his plans were made they were apparently looked upon like the laws of the Medes and Persians—they could not be altered or amended. If any hon. gentleman interested in this subject refers to the Sessional papers of 1881 he will there find that Collingwood Schrieber, who at that time was Chief Engineer of the Government railways, and P. S. Archibald, who was Chief Engineer of the Intercolonial railway, recommended a method of getting to the shipping point which would have avoided all the objections to the scheme which the present Government has adopted. This method would have served the purposes much better, and would have saved at least seven miles in length, which is an important consideration.

There is just one further observation I should like to make if hon. gentlemen will permit me. When the Canadian Northern Railway Company began to run steamers across the Atlantic, they selected Halifax as their port of departure and arrival. For three years they continued to utilize that port.

Hon. Mr. CASGRAIN—In the winter time only.

Hon. Mr. POWER—In the winter time, of course; in the summer they go to the St. Lawrence. The Canadian Pacific Railway Company during those years, up to last spring sent their ships to St. John. During the last fall the Canadian Pacific Railway Company made up their minds that they could not afford to send their ships by the Bay of Fundy to St. John, and they decided that they should sail from Halifax. That was a matter for the steamship company one would suppose, but the Government took Mackenzie and Mann by the throat, so to speak, and insisted that they should transfer their ships from Halifax to St. John. Now, that is a thing quite unprecedented. The only excuse they could give for doing this, they have not a right to do it, is that these ships carried the mails. Well, what is the duty of the Government of this country with respect to the mails? It is to see that the mails between England and, say Montreal, are transported in the shortest possible time consistent with safety. St. John is at least 250 miles further from Liverpool than Halifax is.

Hon. Mr. DANIEL—How much nearer is it to Montreal than Halifax?

Hon. Mr. CASGRAIN—Two hundred miles.

Hon. Mr. DANIEL—Just so.

Hon. Mr. POWER—There have been various test cases. My hon. friend must bear in mind that an express train travels quicker than a steamer.

Hon. Mr. DANIEL—Exactly; that is all the better.

Hon. Mr. POWER—There were test cases in former years, and there have been various tests during the present season, and in every case it has been found that the mails carried by Halifax got to Montreal in at least ten hours less time from Liverpool, than those which went via St. John. Now it seems to me that the Government are not doing the right thing by the people of this country. I leave Halifax and St. John out of the question, but the people of this country have a right to get their mails in the shortest possible time.

Hon. Mr. DANIEL—Hear, hear.

Hon. Mr. POWER—And they are not doing it, and the interference of the Government with the Canadian Northern railway has had the effect, at any rate with respect to a large proportion of the mails, of lengthening the time taken in transportation. I end as I began with the hope that the harmony and good feeling which have generally characterized our relations in this House will continue to characterize them in the future.

Hon. Mr. DANIEL- I had not intended to take any part in this debate, but a few statements have been made during the course of it which induce me to think that probably it would be advisable for me not to pass the debate over in absolute silence. I therefore move the adjournment of the debate.

Hon. Mr. CASGRAIN—Will the hon. gentleman allow me. I may not be here to-morrow when the debate is continued, so if the hon. gentleman will allow me only a few minutes.

Hon. Mr. DANIEL—Certainly.

Hon. Mr. CASGRAIN—I wish to call attention to an argument used by the hon. gentleman who moved the adoption of the Address. I thought it was one which had been abandoned, and should not be taken seriously. Of course, he quoted a great authority, Sir George Paish, in support of it and tried to make out that the people of England like us so much that they are willing to lend us money at 4 per cent when they can get 5 per cent for it elsewhere. The hon. gentleman went on further to show that this difference in the rate of interest enables us to effect a saving which, in two years, would pay the cost of the dreadnoughts Canada was asked to contribute to the British fleet. For my part, I do not believe that the English people like us quite so much as that. I should like to have the name of one Englishman whose income from investments we will say is £500 a year and who would voluntarily, for love of the people of Canada that he never saw, would be willing to lend his money at a rate which would reduce his income to four hundred pounds a year, and perhaps when his wife asked for a new bonnet would have to say 'My dear, I cannot afford it this year, I love the people of Canada so much that I have given up one hundred pounds of my income in order that they may pay only four per cent on my investment.' I cannot believe that such an argument is made seriously. The hon. gentleman from Toronto (Mr. Mason) is president of a bank, lives in the imperialist city of Toronto. What did that city do lately? It required to borrow money lately and where did it go? Not to England but to the awful Yankees, to the city of New York, and the Americans must have liked the people of Toronto better than the English do, because they loaned the city money on better terms than it could be borrowed for in England. What a debt of gratitude the imperialists of Toronto must owe the people of New York who are willing to lend them money at a lower rate than they could borrow it for in England. I do not think it is necessary to dwell further on that argument. Although it was the first speech the hon. gentleman delivered in this House, we must remember that his speech was written and he must have used that argument for a purpose.

As to the Branch Lines Bill, I do not want to dwell on the old story of the rejection of that measure. I was in favour of it, but the majority of the Senate rejected it. The rejection of that measure, far from proving partisanship on the part of the Senate, simply proved the independence of this Chamber. The Bill, which passed unanimously in the House of Commons, had been framed at the suggestion of the Hon. Mr. Graham, the Railway critic of the Opposition, because, as originally introduced, it was similar to a Bill of the same character that had been introduced by the former Administration, and Mr. Graham told the present Minister of Railways that it was no good because it did not go far enough. He said if you want to buy a branch railway you must have authority to do it even during the recess of Parliament. I stated that last year, but the majority of this House though aware of the fact, refused in its wisdom to pass the

measure. I do not think, therefore, that the rejection of that Bill should be charged to partisanship on the part of the Senate.

The hon. member from Halifax has spoken about Port Nelson. How often have I been on my feet in this House to warn this Government and the former Government against going to Port Nelson. I say the adoption of Port Nelson as the terminus of the Hudson Bay railway is evidence of unpardonable neglect on the part of this Government at any rate. The late Government might not have had all the information, but a return for which I asked, when brought down the first session that the present Government was in power, showed the unsuitability of Port Nelson as a terminus for the Hudson Bay railway. I asked for a return showing the depth of water at Port Nelson one mile from the shore, two miles out, three miles out up to twenty miles. The information supplied was that at a distance of sixteen miles from shore there were only seventeen feet of water. I ask any one who has the slightest knowledge of navigation if any ship could live sixteen miles from shore with a sweep of a thousand miles of water. Why, with the large swell that rolls up there, the ship would not hold on its anchors. I always thought the present Minister of Railways, the Hon. Mr. Cochrane, though not gifted with eloquence, was a business man and had sound commonsense. I know he had large business interests in northern Ontario and had been successful as a business man and I thought he would manage his department in a business like way. But I have been disappointed. Gross mismanagement has been shown in the selection of Port Nelson. One ship was wrecked and another was thrown on the coast and is there to-day. The Government must have some good friends in Halifax. They bought a tug there—just one tug to lighter ten or twelve vessels. That tug has to run out ten or twelve miles to get a small load and could only go when it was calm. When there is wind the tug cannot go. The vessel was bought, I suppose, from a good friend of the Administration. It has a speed about equal to the current at the mouth of the Nelson river, so that she cannot ascend the river against the current with its tow, and has to wait for the incoming tide. It certainly was a scandal to buy such a boat for that service. One ship was chartered to take timber to the Hudson Bay. The Government gave a bonus of $35,000—so I learned from reports in the press—and then $200 a day for the use of the ship while she was there. That vessel passed through Hudson straits and entered Hudson bay and swung on her anchor all summer at $200 a day, because this incompetent Government had not even thought that when the ship arrived at destination they would have to unload her. Never before has there been such mismanagement and such a waste of public money. I hope we will be able to get in this House the information which will show the mismanagement which has taken place. Provisions were put on shore and covered with tarpaulin; other supplies were left out in the open, and the men who were employed there were glad to come back with the last ship that came out—those who could come back—some of them dissatisfied with the way they had been treated. No shelter had been provided for them. But what good would it be to erect shelter there? The banks of the Nelson river near its mouth are very low, at most five or six feet above high tide, and when the north wind blows the shore is often flooded. It is nothing but a swamp, and is no place for a harbour. The Government have, in the Department of the Interior, the Surveyor General, Capt. Deville, a man well posted on the geography of the country. Why did they not consult him? Last year I told the Government to ask their own surveyors if they wanted to know what sort of a harbour Port Nelson would make. Notwithstanding that, they chartered ships and sent them there, never making any provision for unloading them. Some very expensive lumber had to be thrown overboard to save one ship and the timber that was in the hold of the vessel came back and was unloaded at he wharf in Sydney. I intend to make an inquiry for information; I do not know if we can get it, because sometimes it takes a ong time to get returns in this House. I will ask how many vessels have been sent out and how much money has been squandered just because the Government would not take heed when they were warned. What I say now is within the hearing of the minister. I see him smile, but he knows I am only repeating what I said last year and the year before. To-day I am sorry to say I have the satisfaction of saying 'I told the Government so.'

The hon. leader of the Government reminded me to-day of the good old Tory Party when he made his speech. He was bubbling over with loyalty. I never heard him better on loyalty than he was to-day.

The party were going to do wonders. I defy him to point to one single thing that the Conservative Party ever did for the Empire. The first time we were asked for help was during the war in Egypt. The hon. member for Hastings (Sir Mackenzie Bowell) was, I think, in the Government at the time. What did they do? The British Government wanted some voyageurs to go up the Nile, and asked Sir John Macdonald if they would be allowed to recruit men here. The despatch went back 'Yes, you can, but at your own expense. Remember, not one dollar, not one man,' and that has been the policy of the Conservative Party. When we gave a preference to England did the Conservative Party approve of that? No, no preference. During the Boer War who sent the contingents? The Liberal Administration (laughter). Hon. gentlemen may laugh, but my own flesh and blood were out there. My brother was there in charge of the Intelligence Department, Sir Percy Girouard was there, and I had relations who were wounded there too. My people have fought for the Crown and Empire. We do not shout: we do things. Here is this Government bubbling over with loyalty, and what do you see them doing for the Empire? Nothing. They have been in office two years. The first year there was nothing to be done; they had to go and see what they could do. The following year they were told to submit their policy to the country, but they were unwilling to face the people. A great imperialist that I met in Montreal said to me 'You ought to be ashamed of yourself: you voted against a contribution of $35,000,000 to help in the defence of the Empire.' I said 'I did not vote against it; we simply wanted to submit the policy of the Government to the judgment of the country. Don't you think if the Government had been sincere they would have submitted it and then the policy would have been fixed and everything would have been satisfactory.' He said 'But is not that asking too much? They have been fifteen years in Opposition and you ask them to risk the sweets of power.' So then I said, 'You conclude that it is more important that the Conservative party should be in power than that the Empire should be saved.'

I observe a small discrepancy of 38 millions. The hon. leader of the House said that the National Transcontinental railway was going to cost two hundred million. They have been stating so right along. The mover of the Address in reply to the Speech from the Throne told us that it would cost $107,000,000, and, with the accesories, etc., $162,000,000. There is a slight discrepancy of $38,000,000. That is a small amount for them, but I think they should chord their violins, so that they should play the same tune.

Hon. Mr. DANIEL moved the adjournment of the debate.

The motion was agreed to.

COMMITTEE OF SELECTION.

Hon. Mr. CASGRAIN in the absence of Hon. Mr. Gibson, moved the adoption of the first report of the Committee of Selection appointed to name senators to serve on the Several Standing Committees during the present session.

Hon. Mr. BOLDUC—Before the motion is put I desire to call the attention of the House to a motion which appears in the Minutes, after the names of members for the different committees are mentioned. It reads as follows:

That the Committe on Internal Economy and Contingent Accounts when appointed be authorized to meet when and as often as it may deem necessary and, without special reference to inquire into and report upon such matters connected with the internal economy of the Senate as it may think in the interest of the House.

The Striking Committee was appointed specially to nominate the members to serve during the session, and I do not think they have a right to pass this resolution. Two or three years ago a law was passed placing these appointments in the hands of a special committee, and I do not believe it will make any difference whether we shall adopt this motion or not. I do not think it has any value. It may have been framed to please somebody. We should not adopt it.

The SPEAKER—In reading the Minutes of Proceedings of the Senate, I find that the report of the committee contains the names of the members who compose the different committees, and is signed by Mr. Gibson. Then follows the motion. Am I to understand that this motion forms part of the report, or is it a different motion?

Hon. Mr. POWER—It forms part of the report, but, through an error of the clerk of the committee, this resolution was not added to the report until after the chairman had signed it. It is altogether a mistake of the Clerk of the Committee. I may say, however, in order to relieve the mind of the hon. gentleman from Lauzon, that the object of the resolution was a very simple

one. As it is now, the Committee on Standing Orders is authorized to take into consideration all the business that comes before it, even without any special reference from the House, and it was found exceedingly inconvenient that the Committee on Internal Economy, which has to deal with circumstances coming up day after day, should not have the right to deal with any little question, the conduct of a page or messenger, or putting a latch on a door without a special reference from the Senate. This resolution, if adopted, does not interfere with the right of His Honour the Speaker to make recommendations to the House. That right is based on the statute, and any regulations we might chose to make, or any report we might adopt could not override the statute, so that there is, really, no substantial objection to the thing at all.

Hon. Mr. BOLDUC—If the resolution has no value, it would be just as well to drop it.

Hon. Mr. POWER—It has value. It enables the committee to deal with small matters that come up every little while, and then the resolution provides that the committee shall report to the Senate, so that there is no fear that the rights of the Senate or of anybody will be interfered with.

The SPEAKER—In looking over the Minutes of Proceedings of the Senate I find on page 14:

The Honourable Mr. Lougheed moved, seconded by the Honourable Sir Mackenzie Bowell.

That pursuant to Rule 77, the following Senators: The Honourable Sir Mackenzie Bowell, the Honourable Messeurs Gibson, Beique, Power, Watson, Casgrain, Ross (Moosejaw) Daniel and the mover be appointed a Committe of Selection to nominate Senators to serve on the several Standing Committees during the present session; and to report with all convenient speed the names of the Senators so nominated.

The report now before us contains the work that is to be done by the different committees, and reports the names of members of the different committees, and the following is added:

That the Committee on Internal Economy and Contingent Accounts when appointed be authorized to meet when and as often as it may deem necessary and, without special reference, to inquire into and report upon such matters connected with the internal economy of the Senate as it may think in the interest of the House.

In my opinion, this is an addition to the report of the committee, outside of the reference given by this House. May, at page 546, says:

It is a clear and indisputable principle of Parliamentary law that a committe is bound by, and is not at liberty to depart from, the order of reference.

Therefore, in my opinion, this part of the report of the committee is not in order.

Hon. Mr. POWER—I do not raise any difficulty in the matter. It is not worth fighting about, but I give notice that, when the report is adopted without this paragraph, I shall move that this resolution be added at the next sitting.

The SPEAKER—Do I understand that that part is left out of it?

Hon. Mr. POWER—Yes.

The motion was agreed to.

The Senate adjourned until three o'clock to-morrow.

THE SENATE

Ottawa, Friday, January 23, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

NEW POST OFFICE AT KAMLOOPS.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

That he will inquire of the Government if a site has been decided upon for the new post office at Kamloops? If so, what is the location of the site?

Hon. Mr. LOUGHEED—There has been no decision as yet.

THE INTERNAL ECONOMY COMMITTEE

MOTION.

Hon. Mr. POWER moved:

That the Standing Committee on Internal Economy and Contingent Accounts be authorized to meet when and as often as it may deem necessary and, without special reference, to inquire into and report upon such matters connected with the internal economy of the Senate as it may think in the interest of the House.

Hon. Mr. POWER—I explained yesterday briefly why this motion was proposed. It was adopted nem. con. by the Striking Committee and it is this: that there are numerous matters which are coming up from day to day, with which the committee

should deal, and at present the committee cannot deal with these matters without special reference from the House. It will be observed that everything the committee does has to be reported to the Senate and has to receive the approval of the Senate. Further, this resolution cannot interfere with the right of His Honour the Speaker to submit nominations for appointment to the Senate service. That right of his honour the Speaker is provided for by statute, and any resolution that we can pass, or any rule that we can make, could not interfere with, or override his statutory power. So, as a matter of convenience, it is very desirable that the committee should be in a position to deal with matters touching the internal economy of the House, just as the Committee on Standing Orders is allowed to deal with matters that have not been specially referred to it.

Hon. Mr. BOLDUC—It is my intention to oppose the motion now made by the hon. gentleman from Halifax, but as it seems to be the desire of this hon. House to adjourn as soon as possible, perhaps it would be just as well to let the motion stand, until after the adjournment.

Hon. Mr. POWER—That may be the hon. gentleman's opinion, it is not mine.

Hon. Mr. BOLDUC—If not, I will have to oppose the motion. Does the hon. gentleman permit it to stand?

Hon. Mr. POWER—No, certainly not.

Hon. Mr. BOLDUC—My reason for opposing that motion is that it is completely out of order. The motion asks that the committee be authorized to deal in any matter without special reference, so that the committee may decide to pass resolutions on any questions that they imagine in the interests of the Senate. No later than yesterday we adopted a resolution, which was proposed by the hon. leader of the Government in this House, and seconded by the Hon. Sir Mackenzie Bowell, as follows:

That the Senators mentioned in the report of the Committee of Selection as having been chosen to serve on the several Standing Committees during the present session, be and they are hereby appointed to form part of and constitute the several committees with which their respective names appear in said report, to inquire into and report upon such matters as may be referred to them from time to time; and the Committee on Standing Orders is authorized to send for persons, papers and records whenever required.

This is a very strong resolution, forbidding any committee to make any report on a question which has not been referred to it. After that resolution has been unanimously adopted, are we to pass another resolution authorizing the Special Standing Committee to do anything they please without reference from this body? I believe it is completely out of order, and before that motion is adopted I would like to have the opinion of the Speaker as to whether my views are correct or not.

Hon. Sir GEORGE ROSS (Middlesex)—Is there an appeal to the Chair?

The SPEAKER—Yes, but I wish to have it discussed.

Hon. Sir GEORGE ROSS—whatever resolution the committee adopts is not binding on the House until it is accepted by this Chamber. The general instructions to all committees are identical, except those to the Committee on Standing Orders. This case makes another exception. They can do more than the Committee on Standing Orders can. That committee can only act on what is referred to it. This committee can take up a subject of its own motion, if it affects the House, but no action is binding and nothing follows until that committee's report is adopted by the House. What harm can come from that? You might have a matter of trifling importance, or of considerable importance, that a member of the committee might not think it necessary to refer to the House, and it might be very important for the Internal Economy Committee, and for the Senate, that the matter should be discussed by the committee. We may first hear of it in a report from the committee, but we can make up our judgment just as well when we get the report from the committee as when the matter originates in this House. I see no constitutional objection, because it does not take out of the House any authority that does not belong to it. There are a great many things to be cared for. Perhaps the discipline of messengers, or the ventilation of the House, or a great many other questions might be taken up by the committee. My hon. friend to my left says this was the old practice of this House. I have no recollection of that, but it is no doubt correct, so that my hon. friend must see we are not violating any regulation of the House, nor any constitutional practice. I think this motion should be carried because it may be useful and helpful.

Hon. Mr. BOLDUC—I could understand perfectly well that a motion is in order, for

a special purpose, but when it is general, in view of the resolution unanimously adopted yesterday, I believe this motion is out of order. That is why I have asked for the opinion of the Speaker.

Hon. Mr. YOUNG—The ground the hon. gentleman takes is that the motion is out of order inasmuch as a similar motion was passed yesterday?

Hon. Mr. BOLDUC—No, the ground I take is that yesterday in the resolution adopted unanimously, the committees have a right to report on any question which has been specially referred to them by this House, but not otherwise. If the hon. member from Halifax, by his motion, were asking for a special thing to be referred to the Contingent Accounts Committee, he would be all right, but when he comes to this House with a motion asking full leave to discuss a report on any question, without its having been referred to the committee by this House, I believe he is out of order.

The SPEAKER—The House yesterday adopted a motion moved by the Hon. Mr. Lougheed, which will be found at page 32 of the Minutes, and which is as follows:

> That the Senators mentioned in the report of the Committee of Selection as having been chosen to serve on the several Standing Committees during the present session, be and they are hereby appointed to form part of and constitute the several committees with which their respective names appear in said report, to inquire into and report upon such matters as may be referred to them from time to time; and the Committee on Standing Orders is authorized to send for persons, papers and records whenever required.

I do not see in that motion, that the Committee on Standing Orders has more power than the other committees to report on any question, except that it is authorized to send for persons, papers, and records, when required. I do not give to that motion the broad construction that was put upon it by the hon. member from Halifax, when he discussed this question.

Now the motion proposed by the Hon. Mr. Power is—

> That the Standing Committee on Internal Economy and Contingent Accounts be authorized to meet when and as often as it may deem necessary and, without special reference, to inquire into and report upon such matters connected with the internal economy of the Senate as it may think in the interest of the House.

In comparing these two motions I find that in the first place the Committee on Internal Economy, as all the other committees of the House, are prevented from making any report except on questions specially referred to them. In the second place by this motion I find that the Committee on Internal Economy, will be authorized to make any report they want to make, without the question being referred to them. So, in one place, the committee is barred from that power, and in the other case it is granted that power. I think the two motions are conflicting, and it is a Parliamentary rule that, in one and the same session, a thing which has been submitted to the House cannot come up a second time. Bourinot at page 451 says:

> When a motion has been stated by the Speaker to the House and proposes a question for its determination, it is then in the possession of the House to be decided or otherwise disposed of according to the established forms of proceeding.

And at page 452:

> The old rule of Parliament reads that a question being once made and carried in the affirmative or negative cannot be questioned again but must stand as the judgment of the House. Unless such a rule were in [illegible] the time of the House would be constantly frittered away in the discussion of motions of the same nature, and the most contradictory decisions would be arrived at in the course of the same session.

Hon. Mr. YOUNG—If I understand the drift of his honour's argument rightly, it is that by passing this motion to-day it would be conflicting with one that was passed yesterday. The motion of yesterday commands the committees to deal with matters referred to them by the House, this committee as well as the others.

The SPEAKER—Yes.

Hon. Mr. YOUNG—This motion does not cut that out, but it adds more power to this committee to deal with matters which come within the four corners of their usefulness. For instance, a charwoman has suddenly to be appointed, and the House has not recommended that appointment. If this motion should pass, the Committee on Internal Economy would take the matter up, and recommend it to the House.

The SPEAKER—Yes, if there were no other way.

Hon. Mr. YOUNG—If we adhere to the first resolution, we would have to refer it to them. I want to hear his honour's views on that phase of the question—that is, as to the two motions conflicting.

The SPEAKER—The hon. gentleman says that this motion does not conflict with the first, but gives more power to this committee.

Hon. Mr. POWER—The decision of yesterday arose in this way: The substance of the resolution which I have just had the honour to move was embodied in the report of the Committee on Selection. His Honour, the Speaker, at the request of the hon. gentleman from Lauzon (Hon. Mr. Bolduc), ruled that it was not parliamentary to embody that resolution in the report of the Committee of Selection—that it was a step outside the jurisdiction of the committee. His Honour will remember that I accepted his decision without hesitation. Now I understand that the hon. gentleman from Lauzon, and His Honour the Speaker, apparently concurs with him, takes the ground that because yesterday—

The SPEAKER—I have given no decision yet.

Hon. Mr. POWER—At all events the hon. gentleman from Lauzon takes the ground that that decision yesterday makes this motion out of order. Why, it has nothing whatever to do with it. This is an independent motion. His Honour, the Speaker, ruled the other one out of order because it was in a place where it had no right to be—it was in the report of the Committee of Selection—but does His Honour say that this House has no power to pass this resolution now?

The SPEAKER—I do not understand the contention of the hon. member from Lauzon that way. He does not raise the point of order because of the ruling of yesterday, but on another ground altogether—on account of the decision of the Senate on another motion moved by the leader of the House. I say that motion has been carried and it limits the powers of the committees, this committee included. The powers you are asking for to-day are more than the powers given by the Senate yesterday. In the face of the contention raised by the hon. member from Killarney, I ask to be allowed to defer my decision on that question. I shall go further into it and give my decision later on.

Hon. Mr. YOUNG—I suggest that the resolution should stand over until after the adjournment. Nothing will suffer by the postponement, and it seems only a reasonable proposition.

The SPEAKER—The hon. gentleman from Halifax should withdraw his motion and let it stand as a notice of motion until the next sitting of the House.

The motion was withdrawn accordingly.

THE ADDRESS.

DEBATE CONCLUDED.

The Order of the Day being called:

Resuming the further consideration of His Royal Highness the Governor General's speech on the occasion of the opening of the third session of the twelfth Parliament, and the motion of Colonel the Hon. Mr. Mason, seconded by the Hon. M. Thorne, that an humble address be presented to His Royal Highness the Governor General in answer thereto.—(Hon. Mr. Daniel.)

Col. the Hon. Mr. MASON—Before the debate is resumed I should like to say a word regarding the statement made yesterday during the debate by the hon. member from De Lanaudière. I am sorry that he is absent, but he took occasion to draw attention to an apparent discrepancy between myself and the leader of the Government, as to the cost of the National Transcontinental railway—

Hon. Mr. POWER—I rise to a question of order. The hon. gentleman who made the observation referred to is not in his place. I think that is a substantial reason for not dealing with the matter now. Practically the hon. gentleman has asked the House to suspend its order of business, to enable him to reply to a gentleman who is not here.

Col. the Hon. Mr. MASON—I am quite willing to wait until he is here.

Hon. Mr. DANIEL—In continuing for a very few moments the debate on the Address in reply to the Speech from the Throne, I wish to join, in the first place, with those who have already spoken in bearing testimony to the very high place Their Royal Highnesses hold in the esteem of Canadians generally. During the illness of Her Royal Highness in London and here, the thoughts and sympathies of the people of Canada went out to her, more especially in those dread moments when her life was in the balance. Canadians, without exception, will be glad to see Their Royal Highnesses hold their present position as long as it is possible so to do, and to wish them every present and future good, in the high position they occupy in the state, and in the hearts of the people.

I have listened during this debate, as I always do, and as I am sure every other

member of the Senate does with much interest to the speech of the hon. member from Middlesex. He is always interesting, always eloquent, and he has the happy faculty of always clothing his ideas in the graceful and beautiful English of which he is a complete master. I am sure we all listened with a great deal of interest to his eloquence. On this occasion, while he was no more eloquent than on other occasions, he was certainly more interesting in some respects, and especially from the novelty of the views that he took the opportunity of expressing. Early in his remarks he spoke about the position which the Senate occupies in the legislation of this country. He spoke of this House as being a non-partisan body. I should be very glad to think it is. The Senate is suppose to copy to a large extent its rules and procedure from the House of Lords. How can it be possible that the Senate can be non-partisan, when we have here a gentleman who speaks of holding the position of leader of the Opposition—leader of the Opposition in a non-partisan body! The thing is utterly and absolutely absurd. Has anyone ever heard of any member of the House of Lords being addressed and spoken of as the leader of the Opposition? Opposition to whom? Opposition to the Government of the day. It cannot be anything else, yet here is this hon. gentleman surrounded by his friends of the same political party, acting as an opposition to the Government of the day and still assuming and claiming that this is a non-partisan body. I never heard of a more absurd statement, or a more absurd condition of things. It is a condition of things, which appears to me must be changed sooner or later if the Government of this country is to go on as it is. If the hon. gentleman from Middlesex, and those who think with him, are in this Chamber for the purpose of opposing the Bills and actions of the Government of the day, how is it possible for the country to be carried on as long as there is that majority of the Senate, which is opposed to the present Administration? I cannot see how it can be done. The thing is perfectly anomalous, and it appears to me that if hon. gentlemen opposite intend to carry out that view, it is utterly impossible for the Government of the country to go on as it ought to go on, so that those who come into the House of Commons, who receive the majority of the votes of the people of this country, and receive the support of the majority of the members of the House of Commons, should be able to carry on the government of this country in such a way as they have a right to carry it on, and as they were sent here by the majority of the people to carry it on. I quite agree with the remarks which the hon. gentleman made with regard to the independence of this body. I think it should be independent. I go further than the hon. gentleman. He thinks it should be independent of the Government. I think it should be independent of the Government, and of the Opposition as well. It should be independent of all parties, and unless it is independent of all parties it cannot be considered an independent body.

Hon. Mr. POIRIER—It is now independent of the country.

Hon. Sir GEORGE ROSS (Middlesex)—I do not know about that.

Hon. Mr. DANIEL—I think that is a thing we should not allow to be remedied from the outside. I think we should have sufficient interest in the public affairs of this country to remedy that from the inside. When I was a member of the House of Commons, and matters regarding the Senate came up, I always took the stand in support of this honourable body. In the remarks that I made I even supported the mode of selecting the members, who are appointed to this body. In thinking over the subject, in thinking over the mode, and inquiring into the methods by which members were appointed to the Senate in the United States and other places, I found that really they had more trouble often in the election of their members there than they could very well overcome. I found there were deadlocks—deadlocks even for years—so that a particular State was deprived for quite a while of the services of any gentlemen representing that State in the Senate of the United States. I should like to see this body, as we should all wish to see it, a body absolutely independent of one party or the other. I think the intention, when the Senate was originally constituted, was that when gentlemen were appointed to this body they should throw aside their party affiliations, just as much and in the same degree as the judge is supposed to throw aside his party affiliations when he is appointed to a seat on the bench. The only reason why an independent body like this should be appointed and constitute one-half the Parliament of Canada, can only be on some such idea as that. This is the view and the idea that ought to prevail.

The hon. gentleman, in speaking of the various Bills to which he had objected—Government Bills, which were so affected by the action of this Senate as to become of no effect—went very largely into the constitutional aspect, as being the reason why he objected to the passing of these Bills. The Highways Bill and the Naval Bill were amongst the others. I could not help noticing, and I am quite sure many members of this hon. body noticed, that the course of the hon. gentleman's speech yesterday in this connection appeared to be one long apology for the action which he had taken with regard to those Bills at the last session. He seemed to be troubled somewhat in his conscience over the acts which he had done. He had the opportunity of throwing out the Highways Bill twice, and I believe he suggested the Government should send up the Naval Aid Bill, I presume so that he could have the opportunity of throwing it out the second time. The Government showed good judgment and a great amount of common sense in determining that they were not coming to Parliament to play the game of battledore and shuttlecock as between the House of Commons and the Senate in this Parliament of Canada. Having had those two important Bills rejected by the Senate, one of them twice and the other once, they showed good judgment in not sending them up again to be defeated in a similar manner.

In speaking of naval matters, the hon. gentleman referred to the Naval resolution of 1909, which was unanimously passed by the House of Commons. I had the honour of being present, and was one of those who voted in favour of that resolution at that time . Hon. gentlemen will remember that the resolution, which was carried and voted on unanimously by the House of Commons, was not the resolution which was introduced by the right hon. Sir Wilfrid Laurier. Sir Wilfrid introduced a resolution which did not appeal to the members of the Opposition, and, at the suggestion of the hon. Mr. Borden, the then leader of the Government, changed his resolution so that it read differently from the one which he introduced I am not going to read those resolutions, but I am just going to point out where they differ in one or two respects. Sir Wilfrid Laurier's original Motion stated in the first clause that:

Hon. Mr. DANIEL.

Under the present constitutional relations between the mother country and the self governing dominions the payment of any stated contribution to the Imperial treasury for naval or military purposes, would not, so far as Canada is concerned, be a satisfactory solution to the question of defence.

How is that section put in the resolution that was carried? They read very much alike, but there is a very important difference. The resolution was passed in the following form:

The House is of opinion that under the present constitutional relations between the mother country and the self-governing dominions the payment of regular and periodical contributions to the Imperial treasury for naval and military purposes would not, as far as Canada is concerned, be the most satisfactory solution of the question of defence.

There is an important difference there. And there is also this other portion of the resolution to which I shall call attention later. I am speaking of the resolution unanimously passed, which reads as follows:

The House will cordially approve of any necessary expenditure designed to promoted the speedy organization of a Canadian Naval Service in co-operation with and in close relation to the Imperial navy, along the lines suggested by the Admiralty at the last Imperial Conference, and in full sympathy with the views that the naval supremacy of Great Britain is essential to the security of commerce and the safety of the Empire and the peace of the world.

The last Naval Conference was in 1909. As far as that resolution goes we were united in the other House. We would have been united to-day if the Right Hon. Sir Wilfrid Laurier, in the Naval Bill which he brought in and passed through the House of Commons, and which was also passed by this Chamber, had carried out that resolution of 1909, which I have just read. Wherein does it differ? The resolution stated that any naval action taken under the Act should be the arrangement and institution of a Canadian Naval Service in co-operation with and in close relation to the Imperial navy along the lines sugested by the Admiralty at the last Imperial Conference. Now was that done? I say certainly it was not done and I will show you just exactly where and the particulars in which I think it was not done.

What was the suggestion of the Admiralty at that Conference? I do not refer to all the suggestions, but just to one or two. In the first place they stated that:

If the problem of Imperial naval defence were considered merely as a problem of naval

strategy it would be found that the greatest output of strength for the given expenditure is obtained by the maintenance of a single navy with the concomitant unity of training and unity of command. In futherance then of the simple strategical ideal the maximum of power would be gained if all parts of the Empire contributed according to their needs and resources to the maintenance of the British Navy.

There was the first suggestion, provided the over seas dominions chose to adopt it. They said they could get the most for their money by adding their strength to the strength of the Royal Navy. Then the suggestion went on:

In the opinion of the Admiralty a Dominion Government creating a navy should aim at forming a distinct fleet unit, and the smallest unit is one which while manageable in time of peace is capable of being used in its component parts in time of war.

That became the second recommendation. They had given us what a fleet unit would consist of: one armoured cruiser, three unarmoured cruisers, and three submarines, with the necessary auxiliaries. I shall call the attention of the House to the next clause:

As the armoured cruiser is an essential part of the fleet, it is important that an indomitable of the Dreadnought type should be the first vessel to be built, in commencing the formation of a fleet unit.

That is plain. The memo continues:

) Should be officered and manned as far as possible by Colonial officers and men supplemented by the loan of Imperial officers and men who might volunteer for the service. While on the station the ship would be under the exclusive control of the Dominion Government as regards her movements and general administration. But officers and men would be governed by regulations similar to the King's regulations and be under naval discipline.

I wish to call your attention to the very last sentence, and, like the lady's postscript, it is perhaps the most important part of the memorandum.

Further, as it is a sine qua non that successful action in time of war depends upon unity of command and direction, the general discipline must be the same throughout the whole Imperial Service, and without this it would not be possible to arrange for that mutual co-operation and assistance which would be indispensible in the building up and establishing of a local naval force in close connection with the Royal Navy. It has been recognized by the Colonial governments that in time of war the local naval forces should come under the general directions of the Admiralty.

I wish to call attention to the fact that on those important points, to which I have called attention, as the recommendation of the Admiralty on the Naval Bill of 1910, the Government of the day did not carry out that advice, but on the contrary went against it. Take the important matter of the fleet unit, what was the first part to be supplied? The dreadnought, the mother ship, the big floating dock of which all the others were mere satellites, helpers, and aiders—the big fighting concern of the whole fleet. Was that done? Every hon. gentleman knows that it was not done. Clause 18 is the most important of all, and was the provision which made me vote against the Naval Bill. It was clause 23 in the Bill as passed and reads as follows:

In case of emergency—

And I wish to show that the interpretation clause shows that emergency means war, invasion or insurrection, real or apprehended—

In case of emergency the Governor in Council may place at the disposal of His Majesty for general service in the Royal Navy, the Naval Service or any part thereof, any ships, or vessels of the naval service, and the officers or seamen serving in such ships or vessels or any officers or seamen belonging to Naval Service.

In other words, the Parliament of Canada passed that Act which placed it in the hands of the Cabinet Ministers, thirteen or fourteen gentlemen, to say, in case of emergency, in case of war, in case of invasion, that if it did not appear to them that this country or this navy should take part, it gave them authority—not by a stroke of the pen, not even by going to that trouble, but by simply doing nothing at all, taking no action—to practically put this Dominion of Canada outside of the British Empire. That is what it did. That is the power which was given it. And since I have been a member of this hon. body I have heard hon. gentlemen complain of some of the Bills that have come from the Lower House, claiming these gave more power than they ought to the Council. Did anybody ever hear of more power being given to a Council than given in that Naval Service Act? I cannot conceive of any greater power being bestowed on any set of men than is bestowed in that clause. Did my hon. friend from Middlesex, and the Opposition, before allowing that clause to go through, not think it right that such an important clause as that should be voted on by the people of this country? He thought it necessary that the emergency contribution should be voted on by the people of this country, but he allows the permanent

policy, giving this enormous power to the Cabinet of this country, to pass by without a protest at all, so far as I know. I do not think the hon. gentleman is consistent in the course which he has pursued in regard to these two Bills. I have heard him say that he did not act in a party spirit in the vote he gave, or in the course he advocated on those occasions. I can only be sorry that his views were not so consistently broad when the Naval Aid Bill was before this House last year as they were when the Naval Service Bill was before us in 1910.

However, I want to refer to a remark or two from my hon. friend from Halifax. On two occasions in this House, my hon. friend has had a fling at the city and the Port of St. John. I suppose it amuses him, or he would not do it. It reminds me of the story of a large, jolly-looking, good-hearted man, who had a very little wife, and this wife had a very sharp temper. She would at times get very angry with her husband, and would try to punch him. A friend came in one day and said, 'Why do you allow your wife to act like that?' and the husband answered: 'Oh, it amuses her and does not hurt me.' I suppose the hon. gentleman from Halifax has a sort of amusement in having his little fling at the Port of St. John. He starts out by decrying the importance of a drydock at the Port of St. John. Moreover, he appears to base his remarks on an entirely mistaken notion which he appears to have, that drydocks are simply for the purpose of repairing lame ducks that are towed in from collisions and accidents on the high seas. I do not believe the hon. gentleman from Halifax can put his hand on a single dry-dock, of all the hundreds of dry-docks in the world, that gets its whole business from repairing these lame ducks which come from collisions and wrecks at sea. The most of the work done by dry-docks is cleaning, and repairing the wear and tear that must necessarily go on year after year. The work consists of the cleaning and keeping clean of the bottoms of these ships, the painting, and everything of that kind. There is not a steamer that has not to go into dry-dock every year to get fixed up, and no Atlantic or Pacific port can be said to be a complete port, unless it has a dry-dock at its disposal—and more especially a dry-dock which has a good repair plant. That is important. And what is more, such dock should not be away out in the Atlantic ocean. It should be at those ports that are visited by vessels for the purpose of unloading and discharging their cargoes. They go there and discharge their cargoes, then go into dry-dock and get cleaned and fixed up. Then they get loaded up and go away on their business. In that way these ships cost less to operate and they pay more profits, and it is more satisfactory in every respect. Therefore, I say, no port is complete unless it has a good dry dock at its disposal, not necessarily for the accommodation of lame ducks. If a lame duck comes along, it is alright, but the larger part of the business is obtained in the way I speak of, and I, for one, am very glad to know that the dry-dock being built in St. John is getting along very well, and will be a first-class dry-dock when it is finished. He also referred to something about the mails, and he said:

> The Canadian Pacific Railway Company during those years, up to last November, sent their ships to St. John. During the last fall the Canadian Pacific Railway Company made up their minds that they could not afford to send their ships by the Bay of Fundy to St. John, and they decided that they would sail from Halifax.

Now, why did they do that? Sir Thomas Shaughnessy stated openly in the press that he did it by the grace of the Intercolonial railway. In other words the authorities of the Intercolonial railway made an arrangement with Sir Thomas Shaughnessy or the Canadian Pacific railway whereby they carried freight and passengers for those four steamers—the two Empresses and the two Allan line boats—at a special rate. That rate was evidently sufficient to make it cheaper for the Canadian Pacific railway people to keep their ships in Halifax, and haul the freight and passengers over two hundred and seventy-five miles extra; cheaper even than one hundred and fifty miles, or whatever the distance is that they would have to carry it by water. That matter will probably be settled by the Railway Commission as to whether the Intercolonial railway is making a reasonable change. The Canadian Pacific railway had already advertised their sailing from the winter port of St. John, but they made the arrangement with the Intercolonial railway, and the result is that they took advantage of the port of Halifax. But the hon. gentleman went further, referring to the Canadian Northern railway going to St. John, instead of to Halifax, and he said:

> The only excuse they could give for doing this, and they have not the right to do it, is that these ships carried the mails. Well, what is the duty of the Government of this country with respect to the mails?

I have yet to know that the Government of the day had anything to do with it at all. So far as I can learn the Canadian Northern and Royal George went to St. John instead of Halifax, because they found they could make more money by doing so. The hon. gentleman continues:

Well, what is the duty of the Government of this country with respect to the mails? It is to see that the mails from England and to, say, Montreal are transported in the shortest possible time consistent with safety. St. John is at least 250 miles further from Liverpool than Halifax is.

Hon. Mr. Daniel—How much nearer is it to Montreal than Halifax?

Hon. Mr. Casgrain—Two hundred miles.

The hon. gentleman is mistaken because it is a little more. I was not familiar with the exact distances, and I got the folder of the Intercolonial railway and the Canadian Pacific railway, and I found the difference between the distance from St. John to Montreal, and Halifax to Montreal, is considerably more than 200 miles. It is no less than 353 miles. The distance from Halifax to Montreal is 836·7; the distance from St. John to Montreal is 482·9. The distance in favour of St. John is 353·8. My hon. friend may say: 'But how about the distance from England to Montreal via Halifax and via St. John?' I will give him the information. He told me himself last night the distance from England to Halifax was 2,500 miles. Add to that the distance from Halifax to Montreal 836·7, and you have the distance from England to Montreal via Halifax, and it makes 3,336·7 miles. How is it by way of St. John? The log of the Royal George or the Royal Edward, I forget which it was, showed the number of miles to be 2,650, or only 150 miles more than the Halifax route. St. John to Montreal 482·9; England to Montreal via St. John, 3,132·9, or a distance in favour of St. John of 203·8 miles. But my hon. friend says that 150 miles is by sea, and a steamer cannot travel as fast as an express train. That is true, and I have taken the trouble to work that out. One hundred and fifty miles by sea at 18 knots an hour, would take eight hours and twenty minutes.

Hon. Mr. POWER—It is 250 miles.

Hon. Mr. DANIEL—No. The log of the Royal George when it arrived at St. John showed it had travelled 2,650 miles and no more. The hon. gentleman himself told me the distance to Halifax was 2,500 miles, so that the difference is simply 150 miles and not 250. Of course, there is this about it, the Royal ships go from Bristol and not from Liverpool, but I doubt that there is very much difference between the distance from these ports.

Hon. Mr. POWER—Yes, considerable.

Hon. Mr. DANIEL—They have to go up the Bristol channel. Probably the distance from St. John to Bristol would be about the same as from St. John to Liverpool. There could not be much difference. But in addition to that the distance from London to Bristol would certainly be shorter than from London to Liverpool. And if the distance was taken, London to St. John, it would still favour St. John even more than the figures I have given. It would take twenty-four hours for the mail train to run from Halifax to Montreal, at a rate of 35 miles an hour, and a similar train from St. John to Montreal will take fourteen hours. In other words the time in favour of St. John is ten hours. Take ten hours gain by St. John on the shorter land route, and subtract the time lost or gained by Halifax by the longer St. John sea route, and you still have in coming from England, one hour and forty minutes in favour of St. John. The hon. gentleman was saying that there was a test made, and that the tests showed that the mails were delivered more quickly by the other way. I say after giving these figures—and they are absolutely accurate—that if there is any delay in the mails by which Halifax has an advantage over St. John in that respect, it must be due to the bad management of those who look after the mails.

There are several other matters to which I should like to refer, but I know there is a desire to adjourn, and I shall conclude by wishing, as the hon. leader of the Government did yesterday, and also as my hon. friend from Middlesex did, my hope that this will be a pleasant session as between all of us who are members here. There is no doubt that if we could all believe in the true independence of this body—an independence of both parties—we would not have much difficulty in criticising the Bills coming before us in such a way as would be an advantage to the legislation of this country.

Hon. Sir MACKENZIE BOWELL—I shall not trouble the House with a long speech.

Hon. Mr. DAVIS—I rose to speak and I think it is usual that when a member speaks on the Government side, he is followed by one on the opposite side.

Hon. Sir MACKENZIE BOWELL—I shall not have an opportunity to speak at all unless I do so now. I deprecate the practice which has prevailed in the past of treating this body as a kind of debating society. It seems to be considered a rule that when a member speaks on one side he must be followed by one on the opposite side. I do not think it should be so at all. I want to call the attention of the Senate to the fact that on Fridays we always have a thin House. All the members who can, go home for the week end merely registering their names here and then hastening to the railway depot. There are here this afternoon only two or three who could possibly have got away.

I wish to refer to one or two remarks made by the hon. member from Halifax, and one by the leader of the Opposition. I regret to hear the statement made continually that those who opposed the reciprocity pact were influenced by a desire to have no trade with the Yankees. That was an invention on the part of those who supported the reciprocity treaty, and is not based on the utterances of those who took any leading part in opposing the reciprocity pact. A year and a half ago I had the honour of addressing the Canadian Club in Chicago. A large number of the members of that club were from the city where I live. On one side of me sat the Governor of Illinois who is a Republican, and on the other side of me a leading Democrat. I took occasion then to deny in the most positive terms that the people of Canada had been influenced in their rejection of the reciprocity agreement by any feeling of hostility to the people of the United States. I told them that, on the contrary, the Canadian people had done exactly what the people of the United States do when dealing with public questions affecting their interests. The majority of our people, I said, were opposed to the scheme submitted to them by the party in power, believing that it was not in the interest of Canada that it should be adopted. I went further and said that if I were a citizen of the United States I should be a Republican because I was in principle a protectionist. The Governor of the state applauded that remark. Then I said that if the Democratic party would adhere to the principles which they professed, and not follow the course usually pursued by the Liberal party in Canada, that is professing one thing in opposition, and taking the opposite course after obtaining power, they would, when returned to office, reduce the tariff. The Democrats were successful, and they lowered the tariff. The result was what was anticipated by both parties, that it has opened up a market for the agricultural products of this country. Why do we hear a continual condemnation of the exporting of our own farm products? That is what we have been seeking, and that is why we have been looking for a lowering of the United States tariff. Moreover it has been done without impairing any of the protection which agriculture enjoys in this country. We are told that the effect of the lowering of the United States tariff has been to raise the price of food in this country; but that has done no injury to any of our people, except those who have a fixed income. It has not injured the farmer, the mechanic, the merchant or the manufacturer. I have had some experience in this direction, more probably than most of those who are listening to me, and I have found that the country is more prosperous when the farmers get good prices for their products. What do we find to-day? Beef is 18 to 25 cents a pound, an increase of from ten to fifteen cents over a few years ago, but the mechanic gets $3 to $3.50 a day, where he formerly got $1.50 to $2.50, and so he is able to pay the higher price. My experience has been, the better the prices that farmers get for their products, the better off the whole country is.

I am sorry that the hon. gentleman from Halifax is not present because I wish to refer to one expression which he used, to which I take particular objection, that is the drawing of a distinction between the interests of Canada and the interests of the empire. He says that if a question affects Canada very seriously, it should be first in our consideration. I have always been living under the impression that Canada is an integral portion of the empire, and that what is in Canada's interest must be in the interest of the empire. Whatever is in the interest of the empire is in the interest of every outlying portion of the empire. Anything which injures the empire must injure us.

The hon. leader of the Opposition paid a very great compliment to the Senate when he told us that, after investigation, he found that during the period when the Conservative party were in the majority in the Senate, they had rejected or amended fewer Bills sent up by the Liberal Government than had been rejected or amended when the Liberals were in a majority in this Chamber. From that he argued that the

Senate in the past as well as at present has always been non-partisan, and has acted on the principle which had been outlined at Confederation by Sir John Macdonald, Sir Alex. Campbell, and the Hon. George Brown. I was very much pleased to hear him say so, because the statement is such a contrast to the hon. gentleman's declarations when he was in the legislature of Ontario. At that time every province was asked by the Liberal Government of this country to pass resolutions condemning the Senate as a partisan body. I shall not take the time of the House reading the hon. gentleman's expressions when the motion was made in the legislature of Ontario, condemning the Senate, but it is interesting to contrast his views on that occasion with the views he expresses now. He has realized, at last, that a second Chamber is necessary, and that there is no ground for appealing to the Imperial Government to change our constitution.

I am quite sure the hon. gentleman did not intentionally mis-state the facts, but he left the impression on the minds of hon. gentlemen who did not know the facts, that the Bills affecting representation in the House of Commons, which the Senate had rejected, were the Redistribution Bills provided for by the constitution. Every case of the kind to which he referred had reference to Bills introduced in the Lower House by private members—Bills which were never contemplated by the constitution. The hon. gentleman connected my name with one of them. It is true that I moved the rejection of a Bill introduced in this House by the Hon. Mr. Mills, though I think he is mistaken as to the dates of the Bills that he mentioned. He made this remark:

> This Senate has rejected three Redistribution Bills in its history—actually rejected them. A Conservative Senate did so, and no Senate can be more moderate in its views or more equitable in its opinions, judging from what we hear nowadays, than a Senate in which the Conservative party has a majority.

I have taken some little trouble since the hon. gentleman delivered his speech to look up some of these cases. The Bill to which my hon. friend referred more particularly, and to which he called my attention, was a Bill introduced in the House of Commons tinkering with the different constituencies, particularly west of Toronto, and some in the province of Quebec, on the pretense that in the redistribution of 1882 an injustice had been done to these constituencies, and that the principle of representation by population had been disregarded. The hon. gentleman stated that the Redistribution Bill of 1882 had not been based upon population, and that in making the redistribution, we had changed some fifty constituencies. This he deprecated, at the same time contending that representation should be based upon population, and that the constituencies should be divided along county lines. If he will take the trouble to read my reply to the Hon. Edward Blake, upon a similar charge being made by that gentleman in the House of Commons, he will find the figures given of each constituency, showing that the principle of representation by population was followed as closely as possible. I contended then, and I contend now, that under our system it is not necessary to follow county lines. The great principles which govern the administration of Dominion affairs are not affected by the fact that a member lives on one side or the other of a county line. Where it was necessary to cross a county line, in order to equalize population it was done. It is another matter however, to do this in fixing the representation in the local legislature. In the legislature the local interest of each constituency is affected to a great extent by the county lines, and what will the House think of my hon. friend's position, when I state that in the redistribution which took place in Ontario, the very constituency which my hon. friend represents is composed of parts of not less than three counties, and that in making up the constituency county lines were abandoned. Yet he contends here that county lines should be followed in the redistributing of constituencies. However, he is following the old practice of his party, a practice which they have pursued ever since I have had any knowledge of parties in this country, of making great professions when in opposition for the purpose of catching votes, and pursuing an entirely different course when they get into power.

Hon. Sir GEORGE ROSS (Middlesex)—Order, order.

Hon. Sir MACKENZIE BOWELL—I could furnish many illustrations to prove the correctness of what I say. My hon. friend will remember that, at one time, we had before us in this House, a famous Bill known as the Tuckersmith Bill, the object of which was to take a particular township out of one riding and add it to another for

the purpose of insuring the election of Mr. M. C. Cameron. The township of Tuckersmith had a very large majority of Liberals, and by taking it from the constituency in which it had been placed in the Redistribution Bill, following the principle of representation by population, it was intended to secure the election of Mr. Cameron. That Bill was introduced by a private individual. It had nothing whatever to do with the principle of the redistribution of seats after the decennial census. It was very properly thrown out in the Senate. The other Bill to which I have already referred, which was introduced by hon. Mr. Mills, was rejected by the Senate as not being in accord with the constitution under which we live. I moved the resolution to reject it, and though I did not at the time declare it unconstitutional, or claim that the Senate had not the power to change or amend it, I did contend that the constitution never contemplated any such measure. I contended that the constitution provided for the redistribution of seats after every decennial census, and that to attempt to interfere with the representation, on any other occasion, would be doing something never contemplated by those who framed and passed the British North America Act.

Hon. Mr. DOMVILLE—When the Conservative party were passing the Confederation Act, why did they put the Maritime provinces in such a position that they are losing their representatives in the House of Commons?

Hon. Sir MACKENZIE BOWELL—My hon. friend knows very well that the matter is governed by the constitution, and that representation in the House of Commons is based on the unit of the province of Quebec. If the hon. gentleman will tell me why the population of Quebec is increasing faster than the population of New Brunswick I might explain his question.

Hon. Mr. DOMVILLE—It is because we are raising very clever men in the Maritime provinces, and they are going West.

Hon. Sir MACKENZIE BOWELL—I am sorry to say that in the redistribution which is to take place this year, Ontario loses four members. The Tuckersmith Bill was rejected because it was an interference, by a private member, with legislation which should emanate from the Government of the day. You might tinker with every constituency in the country if a thing of that kind were permitted.

On May 19, 1899, Sir Wilfrid Laurier introduced (on behalf of Mr. Mulock who was absent) a Redistribution Bill, the avowed object being to correct certain 'injustices' caused by the Acts of 1882 and 1892. This Bill was read a third time in the Commons. On the second reading in the Senate Sir Mackenzie Bowell moved the following amendment:

That it be resolved that it is inexpedient to proceed further with the Bill now under consideration inasmuch as it is provided by section 51 of the British North America Act that the representations of the provinces in the House of Commons shall be readjusted upon the completion of each decennial census subject to and in accordance with the rules in the said Act set forth, and as the next decennial census will be under the provisions of the Confederation Act be taken in 1901, a readjustment of constituencies in the Dominion made previous to such census being taken would, in the opinion of this House, be a violation of the spirit of said Act.

The amendment was carried on a vote of 36 for to 14 against. The motion for the second reading of the Bill was lost on the same division reversed, and, therefore, the Redistribution Bill was defeated.

(July 20, 1899, Senate Hansard, column 897.)

Why this question is dragged in at the present moment I am at a loss to know, unless it is for the purpose of preparing the country and the Senate for the rejection of a Redistribution Bill, no matter what its character may be.

Hon. Sir GEORGE ROSS (Middlesex)—No, no.

Hon. Sir MACKENZIE BOWELL—And according to the whim of those who would take objection to it, for the purpose of defeating the measure.

Hon. Sir GEORGE ROSS (Middlesex)—The hon. gentleman must know I never suggested such a thing.

Hon. SIR MACKENZIE BOWELL—It would have been quite time enough for the hon. gentleman to discuss the question when the Bill is before us, but he predicated his remarks on the assumption that the Bill was to be so vicious in its character that he wanted a ground upon which to educate the people, if possible, on the propriety of rejecting a Bill of which they know nothing whatever, and cannot know until it comes before the House. I readily admit, from my experience—and every member of this House who thinks over the matter for a moment will agree—that there are difficulties surrounding any government in the redistribution of seats. Take the province of Ontario at the present moment—I speak of that province because I live there. We are to lose four seats. The first thing to be done is to decide what portion of the province is to be deprived of

representation. The next question is whether there has not been a vast decrease in the population in some sections of the country. When you speak of representation by population, taking it as it exists, when you have to take the smaller constituencies and add them to others, I think it does not require much thought to form an opinion of the difficulty that surrounds any government in dealing with a matter of that kind. I do not require to go beyond my own county, where I have been living since 1833, for an illustration of this. I think my hon. friend, when he was Premier in the local House, had something to do with this matter. If you can imagine a more outrageous division you would require a more vivid imagination than I possess. Hastings is divided into three ridings for the local House. The north riding was properly divided. What do you suppose the hon. gentleman's Government did? They set to work and tacked on a large portion of the county of Renfrew—a district miles and miles away from the north riding of Hastings. And why? Because they thought under the circumstances it would secure the election of a Liberal, and the suggestion came from that very good Liberal, the gentleman who introduced into the constituency a bogus ballot box, by which the ballots of the Conservative voters could be shunted out, and the Liberal ballots put in. How do hon. gentlemen suppose a canvasser would get to a portion of that constituency in the north? He had to travel from Belleville to Ottawa, and up the Ottawa river some hundred miles, in order to reach that portion of the north riding of Hastings as amended.

That is one of the cases to which my hon. friend refers. If he wishes to come to a later case, the last redistribution of the county of Hastings is an example. That county runs from the Bay of Quinte back about one hundred miles north. It is three township wide. They took the city of Belleville and the townships running north of it for one hundred miles, and they took two townships on the east side of it, which gave it the appearance of two bay windows. Why did they take in those two townships? The reason was that in one there was a Conservative majority of one hundred and fifty and in the other a Conservative majority of two hundred and fifty, and that would give any Conservatives who got the nomination two or three thousand of a majority, and by taking those two townships out of the riding to which they properly belonged, it would give the Liberals in that riding a fighting chance. I do not say that they would have carried it. I think we could have beaten them even with the division which they made. So flagrant was the work, in this division, that Sir Wilfrid Laurier himself, when it was pointed out to him how the ridings were cut up, consented to have the two townships placed in the ridings where they belonged. So disgusted were the voters in both ridings that Mr. Northrup carried the east riding by thirteen or fourteen hundred majority. Honest Liberals—and there are some of them: they are not all of the same grade—did not approve of that redistribution. I could show the House a number of other cases of similar character. I deem it my duty, in the instances which my hon. friend the leader of the Opposition has pointed out, in reference to redistribution Bills and the action of the Senate, to show that these Bills were not of the character he would lead us to believe. Whether intentionally or not, he left the impression on the minds of those who heard him that the Senate, in these cases, was dealing with the Redistribution Bill introduced into the House of Commons under the constitution by which we are governed. I knew, at the time, it was not correct, but I did not wish to interrupt him, because an opportunity would present itself to set the House right on this question.

In reference to the Naval Bill, the hon. gentleman from Halifax said he was opposed to such a large expenditure. I may say that I am not. I would spend every dollar the country can afford to strengthen the navy of the empire. I do not propose to waste time in discussing the Laurier or the Borden scheme at the present moment. But I do say that to adopt a system by which there would be two units, one on the Pacific coast and one on the Atlantic, totally independent of the navy of the empire, would be throwing the money into the sea. The expenditure would be utterly useless. I appreciate the reasons given by the hon. gentleman (Hon. Mr. Lougheed) for not introducing the Naval Bill this year, but I do not agree with him. If I had any influence, or could induce the Government to act, I would introduce that Bill every session that I was in power, and compel the Liberal Senators to record their votes. And I know from my own experience, in the section of the country in which I live what the effect would be. I have heard one or two members make the statement

that the naval question was not discussed during the last election. All I can say is that I took a very lively interest myself in this question, night after night until nearly daylight, during the last election. Through the county of Prince Edward this question of the navy was the principal topic we discussed. The result was we redeemed that county by two or three hundred majority over the Liberal candidate. In other sections of the country it was the principal question discussed. The probabilities are that those who say it was not discussed avoided it purposely so that the people should not know what proposition the Conservative Government advanced on this question, and what proposition the Liberal party offered. I can readily understand they would take this course, because I am convinced that the people, Canada being an integral part of the empire, are true to the Crown and the empire, and that there is no sacrifice they would not be willing to make to maintain that constitution and keep the reins of world power as well. The hon. gentleman from DeLanaudière spoke of what the Liberal Government had done in sending a contingent to South Africa. Does the hon. gentleman presume upon the ignorance of the people, and suppose that they do not know the circumstances connected with the sending of that contingent? If there is one man more than another responsible for having that contingent sent, it is Sir Charles Tupper. He wired from Amherst to Sir Wilfrid Laurier pledging himself and the Conservative party, which he knew was behind him, that if Sir Wilfrid Laurier would take steps to raise a contingent to send to South Africa, he and his party would stand at his back. Sir Wilfrid Laurier did not act upon that suggestion, and Sir Wilfrid sought an interview with a Globe correspondent and pointed out that they had no power to do as suggested, and that they would not do it until they got the consent of Parliament. Public opinion was so strong that he was compelled to consent to the raising of that contingent, and send it forward. When the contingent was being raised, the spirit of the people of this country was evidenced by the boast of Sir Frederick Borden that in less than three weeks he would have a contingent of one thousand men ready to send to the defence of the empire. When the Government of the day passed the Order-in-Council giving their first consent to the idea, they based it on the ground that they would get the approval of Parliament after having passed the Order-in-Council, and that it should not be considered as a precedent. Thereby they cut off for the future, as far as they could, any further aid towards the suppression of the rebellion in South Africa. Public opinion was again too strong for them, and the Government was obliged to consent to the raising of a second contingent. The principal men, and the most valuable men that were sent to the Nile under Lord Wolseley, were Canadians. I am surprised that men knowing anything of Canada for the last ten or fifteen years, should make erroneous statements before intelligent people—unless they presume upon an ignorance which does not exist.

Hon. Mr. DOMVILLE—Canada is too big a country to go into past history. She must be a country of the future, and must set aside the politics of Liberalism and Conservatism. I have no sympathy with these things at all. I view Canada as one nation, no French, no English, no Irish, no Scotch, but one nationality, the making of a great nation.

I cannot see for the life of me, why charges are brought against the Senate at the present time. First of all it is said that the Senate is an imbecile body, an irresponsible body, a moribund house, and a morgue. However, this morgue is now increasing. It has been increased by the present Government and is no longer a morgue, for we are all brothers, and working together. I object to this pettifogging policy of running down the Government or of running down the Opposition, because, in time, they will both pass away. The Speaker and I sat together in the House of Commons in 1872. We have seen many changes, and many leaders come and go. We have seen many eminent men pass away. And all that is left of their work is the good that redounds to Canada.

There has been much talk about the redistribution of the seats of the Commons. The hon. gentleman has talked some about Tuckersmith. When that matter came up Sir John Macdonald said: 'You want such-and-such a place altered?' and Mr. Blake said 'Yes.' Sir John said 'We will make it as you want it.' Mr. Blake it turned out wanted it done in some ridiculous way, and Sir John A. Macdonald said 'You say so, Mr. Blake,' and it was carried out.

But this has nothing to do with conditions as they are to-day. We have had a

Speech from the Throne. Speeches do not amount to much, many of them simply throw bouquets around. We had, however, two good speeches from the mover and seconder of the Address.

But I am chiefly interested in the lower provinces. Down by the sea we want to know how the harbour of St. John, the terminal point of Canada's great western railways, is to be developed. We want to know why these terminals have not been developed to a greater extent than they have. I am not saying that the Government do not know what they are doing; I am not casting any reflections. But we have their apology for the Hudson Bay project and other matters. I have no doubt this Hudson Bay country is going to be a great one. It is now using up cement and steamers and everything else, and running them on the rocks. After the building up of Vancouver, and all the rest of the West to which we have contributed, some consideration and some justice should be given the port of St. John.

My hon. friend will acknowledge that I have been the last man to attack the Government here. Let us see what they are going to do, I say, and then hold them responsible. If they do not carry out their pledges, then it is time to go for them. But I would not condemn them unheard. I should like to know where Hastings is? And where is Belleville? I have heard of that place, but there are other places besides Belleville. There is the city of Calgary which had nothing in it a few years ago, but to-day has 150,000 people. Then we have Edmonton which a short time ago had 15,000 population. Today they have over 100,000. They have a great deal more to say than Belleville. Belleville will never be heard from. The town has had its growth. Then take Southampton, and such places on the English coast. They will never develop. They were first the homes of the buccaneers and pirates, who settled there. The warriors of the navy and army also settled in those places, living on the income they got from the Crown for their services. Liverpool and Manchester, of course, have a natural trade, and those places grew. Now I am not so narrow-minded as to say St. John should have all the trade. I think the hon. leader will remember, when they had the great discussion in St. John, and when they were marching up and down the streets and meeting delegations. The member for St. John said the distance from England via St. John to Montreal, and the distance from England via Halifax to Montreal, by water and land were co-equal if they were patched together. The Intercolonial railway should be put in shape to meet the emergency. You have also the mails, the passengers, and the express goods to be carried. There is no appreciable difference in the routes. I took the trouble to see Mr. Gutelius and I did not gather from him that he was trying to humbug St. John, nor can I, from my experience of him for twenty years, believe that he would sink his views of what was right simply on account of a train or two from St. John being late. I will try to hold the Government responsible for not declaring what is going to be done in St. John in the matter of the terminal of that great line, the Grand Trunk Pacific, and all the other roads. The development of the port has not been hastened, and has not been in keeping with what we have been led to expect. There is a fair argument. Nobody can find fault with it. I am here as a humble citizen, not to praise or abuse the Government, but to ask the Government to consider the development of the East, as well as of the West. I was in the House of Commons when Canada bought the Northwest. I think the Government of the day gave three hundred thousand pounds sterling for it. We had to give the Hudson Bay company one-twentieth of the land, and we gave the Canadian Pacific Railway Company every alternate block along its railway, besides making certain reservations for public schools. These properties are becoming very valuable. Now who paid for them? It was our money that bought those territories, and our capital that developed them. To-day the Maritime provinces are trying to manage their local affairs on very small incomes, and they are losing their representation, and we have a right to ask for a re-consideration of our position in the Dominion.

I should like to have heard some mention made of our late colleague, my friend J. V. Ellis. He was a worthy member of this House and esteemed by everybody. He was a man who held decided views on public questions, and never hesitated to give expression to them. He was a consistent Liberal and worked hard for the Liberal party, yet he manifested his independence, when the Naval Bill was before this House, by giving it his support.

This House has been charged with partisanship, and its enemies look for its practi-

cal reform through the death of its older members. There seems to be a desire in some quarters to lower the standing of this Senate before the country, and yet this Senate was the product of the Confederation of the provinces. Sir John Macdonald, one of the best men that Canada ever saw, worked out that great project, and he must have foreseen the difficulties which would arise when the majority in the Senate was in opposition to the Government of the day. It is not wise nor logical to foster in the minds of the people the idea that the Senate is useless, or obstructive. Such ideas can accomplish no good.

In speaking of the prosperity of the country reference has been made to our growing wealth. But where is the growing wealth of the ordinary man, the hewer of wood and drawer of water? Protection has not helped him. Long years ago we gave protection to the manufacturers, so as to enable them to get on their feet and put them in a position to compete with the manufacturers in other countries. That was class legislation, introduced by the Conservative party. I was afraid of the Conservative party. I was allied with the party as long as I could, but I had to leave it. And I shall only continue with the Liberal party so long as I consider its policy in the interest of the country. There are conditions in this country which must be met, and which will be met when another election takes place. The people will decide whether this country is to be run by titled gentlemen, and men of wealth. This country is democratic, and its people will not be satisfied with any party which does not look after their interests. With coal at $9 a ton how is the poor man to keep his house warm? How is he to supply the needs of his family under present conditions? The difficulty must be met in some way. Protection is, of course, largely in the interests of the bankers, for if the manufacturers go down the bankers lose their money. I noticed the other day that, notwithstanding the tightness of the money market in Canada, thirty-five millions in Canadian money had gone to New York. We should take a high stand in this country and have faith in the greatness of our destiny. There is no reason why Canada should not have one hundred million people by the end of the century.

Hon. Mr. DOMVILLE.

I doubt the expediency of borrowing money to build dreadnoughts. I cannot see the soundness of the financial side of the proposition. I can understand that the armour plate makers want us to build war ships, but I cannot see how capitalists generally can approve of lending us money for such purpose. I do not want to bring myself to the front, but I remember at one time I proposed to raise a regiment to go to the Soudan. The regiment was not to consist of Liberals or Conservatives, they were young men who were willing to go to the Soudan to fight for the empire. We got a steamer, and the British Government accepted us, but Sir Charles Tupper would not let us go. Instead of our regiment going, the Australians went. There was every evidence that Canada was willing to do her share, but there was also every evidence that Sir Charles Tupper would not let a Canadian contingent go. It is on record in the official reports of the House of Commons that the regiment I was raising was not permitted to go. I was going out to command it, and I suppose Sir Charles thought I would get too much credit. I suppose it was the result of jealousy. There were other Canadians who offered to raise men, and send them at their own expense. Canada was not asked to contribute anything, but the Government would not let the regiments go. I am not here to defend Sir Wilfrid Laurier because he can defend himself better than I could, but I have heard him accused in this House of being slow in sending contingents to South Africa. That sort of thing does not help the party that resorts to it.

As to the declining representation of the Maritime provinces in the House of Commons, I fear we cannot get around the situation. We went into Confederation, we made our bed, and we must lie on it. We have before us two things, the great West which is going to build up and make Canada great, and the East which will handle the traffic that comes from the country lying between British Columbia and Montreal.

Hon. Mr. BOSTOCK moved that the debate be adjourned.

The members were called in, and the Senate divided on the motion, which was adopted.

Contents:

Beith,	King,
Bolduc,	Legris,
Bostock,	McKay (Cape Breton),

Daniel,
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Davis,
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Thompson,
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Non-Contents.

Dennis,
Derbyshire,
Girroir,
Gordon,
La Rivière,
Mason,
McHugh,
McSweeney,
Montplaisir,
Pope,
Ross (Middleton),
Smith,
Taylor,
Tessier,
Young.—15.

The Senate adjourned until Monday next at three o'clock.

THE SENATE.

Ottawa, January 26, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BRITISH COLUMBIA BETTER TERMS COMMISSION INQUIRY.

Hon. Mr. BOSTOCK inquired of the Government:

1. Has the third commissioner been appointed to the commission to inquire into the question of better terms for British Columbia?
2. If so, has the commission held any sittings?
3. Has any evidence been taken?

Hon. Mr. BOLDUC (in the absence of Hon. Mr. Lougheed)—The answers to the hon. gentleman's questions are as follows:

Answers to 1 and 2. No.
Answer to No. 3. No.
The case of British Columbia has been prepared and presented, and the case for Canada is in course of preparation.

THE ADDRESS.

DEBATE RESUMED.

The Order of the Day being called:

Resuming the further consideration of His Royal Highness the Governor General's speech on the occasion of the opening of the third session of the twelfth Parliament, and the motion of Colonel the Hon. Mr. Mason, seconded by the Hon. Mr. Thorne, that an humble address be presented to His Royal Highness the Governor General in answer thereto.

Hon. Mr. BOSTOCK—In rising to make a few remarks on the Address in reply to the speech from the Throne, I wish first of all cordially to endorse everything that has been said by the hon. gentlemen who have preceded me with respect to the sympathy felt throughout this country for Their Royal Highnesses on account of the serious illness of Her Royal Highness, and the relief which was felt when all danger was passed, and the gratification of the people when it became known that Her Royal Highness was to return to Canada.

The discussion which has taken place so far on the Address has dealt very largely with the matter of the Naval Aid Bill, which was brought down last session, but of which really there was no mention made in the Address itself. The speech made by the hon. leader of the Government in this House reflected rather seriously, in my opinion, on the way that certain members of this House thought it right to act in regard to that matter. The hon. leader of the Government tried to show that members of this House, in not following the lead of the Government in that matter, brought a very serious situation about in regard to the affairs of this country and of the empire. I do not think the quotations that the hon. gentleman referred to, in reference to what was thought and what was said by papers in the countries of Europe, should have very much effect on the members of this Senate or the people of this country. In dealing with a question of this kind we have considered what is best for Canada, and what is best for the empire as a whole; and I certainly consider that in dealing with the matter in the way that the Government did, and the leaving out of all consideration the question as to the feelings of the people of Australia in regard to this matter of the navy was a serious mistake, and one that ought to be reconsidered. Hon. gentlemen will remember that this naval question in New Zealand and in Australia is possibly a matter of longer standing than in this country. The Dominions of New Zealand and Australia took this matter up as long ago as 1897, and at that time they came to an arrangement with the Home Government that they would supply money for the purpose of naval defence, on the Government of Great Britain undertaking to do certain things, and keeping certain ships in the waters of New Zealand and Australia.

That arrangement was made in 1897; it was amended in 1903, and the amount of the subsidy paid by Australia and New Zealand under that agreement was increased in that year. Then we come down to the year 1907 when Australia decided to adopt the policy of supplying her own fleet unit. To that extent the policy that was

adopted in this country, under the late Government, was on all fours with the policy of Australia. Nobody at that time ever talked about the Australians being disloyal because they adopted a policy of that kind, and I do not think hon. gentlemen to-day would make such a statement. A great deal, however, has been said and much adverse criticism has been made of the action taken by the majority in this House in not agreeing to the passing of a measure that was brought down by the Government last session, and in saying that the country should be consulted about the change of policy that was made.. In 1909 the representatives of Canada, Australia, and Great Britain met together and discussed this whole question of naval policy, and the delegates came to the distinct understanding that Great Britain should do certain things and should supply certain ships on the Indian station and the China station. Australia on her part was to undertake to supply certain ships on the Australian station. New Zealand was to supply a dreadnought, and that dreadnought was to be made the flagship of the China squadron. Canada on her part undertook to supply certain ships, as was set forth in the Bill that was passed by the late Government. That arrangement was a sound one, and the arrangement was come to, after considerable discussion, and was made between these four parts of the British Empire. But owing to the change of Government in this country, the Conservtive Government, when they came into power, thought it was right to ignore all that had been done in the past. They did not pay any attention to the solemn agreement that had been made with Australia and New Zealand. They ignored altogether the part that Canada was to play in that matter. The consequence is that in the Bill brought before the House last session, there was no arrangement made for carrying out this agreement on the Pacific ocean with regard to Australia. For the last year we have had the Hon. Minister of Trade and Commerce over in Australia, and I should think he would be able to tell his colleagues in the Government the feeling of the people of Australia with regard to the stand taken by Canada in this matter. I know that gentlemen whom I have met out on the Pacific coast, who have been to Australia and met the people there, have expressed to me surprise about the hard feeling that was apparently in existence amongst the people of Australia with regard to what they called the dereliction of duty of Canada, in not carrying out the arrangement made in 1909. They feel that it is a very serious question to them. It is not one of being defended against attack by a European power, so much as a possible attack from some country that has forces in the Pacific, to the north of them, and they know that they have a fine rich country there, one that other nations look at with very longing eyes, one that has taken a great deal of time and trouble to develop and open up. They are open to attack on the Pacific Ocean and they want to see vessels there, that may be able and ready to support them. They have expressed it in this way —that the United States to-day is doing more for them and doing more to help them in this matter than Canada or Great Britain. They feel very strongly about it. The hon. Minister of Trade and Commerce, if he would give expression to the feeling that he found amongst the Australian people, could tell his colleagues in the Government that on account of this very feeling the Australian people were not so ready to enter into any trade arrangement at that time, as they otherwise would have been. The question as it affects Australia is a question which affects the Pacific Coast of Canada in the same way, to a very large extent, and from the fact that the business connection between Australia, New Zealand and Canada is being brought close together, shipping is being developed and more trade is being done between our Pacific Coast and Australia and New Zealand. That very fact is going to bring the people of those parts of the empire in closer touch with one another, and make them think more of this very question. I therefore think that the Government in dealing with this question —as they have not said anything definite about going on with this Naval Bill this session—ought to take this side of the case into consideration. They ought to realize that, in holding the empire together, they ought to consider not only what the people of Great Britain are thinking about, but also what the people of New Zealand and Australia and South Africa are thinking about. The time has come when further consultation should be held in regard to this matter, and it would be much better to come to some very clear understanding about it before any further steps are taken. This is possibly going over old ground that has been gone over very much before. I do not want to take up much time of the House with regard to the matter but

I hope that the Government will pay some attention to this part of the question, and that we may reap some practical results from it later on. I certainly must say that, to me, the action of the Government in allowing the training of men on the Rainbow and Niobe to slacken off, in the way they have, is a very serious, and I think a very reprehensible way of doing things.

The training of men for naval service is a matter that has to be carried on a great many years. You cannot make a man into a good sailor in a short time. It takes a long time, and the Government most certainly should have gone on, and done their very best to get men to train in these ships. At the present time out on the Pacific coast, where we have a slackening in business of every kind, there is no doubt, to my mind, that men could have been much more readily recruited for training on the Rainbow now, than they could have been in the last two or three years. The Government is losing a great opportunity in this way in having allowed that training to get behind, and not paying the attention to it that should have been paid.

The hon. leader of the Government in speaking the other day on the Address referred to a matter that was, to myself, rather a surprise, because of the way in which he handled it. He was talking about the question of the cost of living, and he referred to the cost of living in England, and quoted from a well known book, 'England and the English.' The figures that he gave on that occasion were, to my mind, decidedly misleading. I happened to have read the book at one time, and I think those figures ought not to be quoted to show what the British Government does, in regard to the taxation of food stuffs. The list of things given in that particular table as quoted by the hon. leader of the Government, referred to two items which, alone of all the items he mentioned, could properly be called food stuffs—grain and sugar. Now if the hon. gentleman had taken the time and trouble to refer to past history and see what was the condition of things in England at the time those duties were applied, he would have found that the duty on sugar, for instance, was first imposed in the year 1902 by Sir Michael Hicks-Beach, when he was Chancellor of the Exchequer, and had to provide for the expenses of a war in China as well as the war in South Africa. At that time a large amount of money had to be provided, and he was faced with a deficit, and the fact that he would have to obtain a considerable loan in order to make the revenue and expenditure of Great Britain coincide at the end of the year. That was the first time that the duty on sugar was adopted by the British Government for a great many years—in fact since the country started on a policy of free trade. The duty was placed at four and two-pence per cwt. on refined sugar, and was gradually reduced down to two shillings per cwt. on raw sugar, polarizing at not more than seventy-six degrees. That duty on sugar has been kept up to the present time, but the rate of duty has been very considerably reduced, so that, at the present time, the sugar that was paying four and two pence per cwt. in 1902 was paying only one and five pence half-penny per cwt. in 1913. That duty on sugar, of course, produced a considerable revenue. The estimate that was made on the duty at the time the Chancellor of the Exchequer was making his Budget Speech, was that he would get a return of £5,100,000 from this duty on sugar. But the next year he was able to announce to the country that instead of £5,100,000 he had got £6,390,000. Then the amount obtained from the duty on corn was not satisfactory. The necessity for the duty on corn was due to the same causes as the duty on sugar, it was adopted a year later. The same Chancellor of the Exchequer, Sir Michael Hicks-Beach, having to provide for a considerable portion of the cost of the South African war in 1902-03, placed a duty of three pence per cwt. on imported corn, and five pence per cwt. on imported flour, which he estimated would produce £2,650,000. That duty was placed on corn and flour for the one year, but Mr. Ritchie, who succeeded him as Chancellor of the Exchequer, in the following year when he came to his Budget Speech in 1904, gave as his reason for abolishing the duty on corn, that corn is a necessary of life in a greater degree than any other article of food. It is a raw material. It is the food of our people, it is the food of our horses and cattle. The tax has a certain disadvantage, namely that it is inelastic, and what is much worse, it lends itself very readily to misrepresentation. Therefore he abolished the duty on corn in that year, and it has not been adopted again. I mention this because the hon. gentleman in his speech left the impression that the duty on corn was in the nature of a protective duty, and that England was taxing food products, for the purpose possibly of affording some kind of

protection to the farmers and people who are raising that food. The system that is pursued in England is very different to that. What duties there are, are imposed with the object of raising as much money as possible, and the items that are selected by the Chancellor of the Exchequer in making up his Budget are selected because they will produce the greatest amount of revenue, at the least inconvenience to the people of the country. This is a very different situation to the one we have in a country such as Canada, where the duties are placed, very largely, for the purpose of protecting the different interests of the country. This gives some reason why the cost of living in Canada to-day is going up, out of proportion to the cost of living elsewhere. There is no doubt that the cost of living has increased in all the countries of the world in the last few years, but the increase in the cost of living is greater in Canada than in other countries. A good deal of this can be attributed to the fact that, in Canada, we have not been going ahead and producing the food stuffs for the country in the way that we should. Too much attention has been given in late years to speculation, and things of that kind, without paying due attention to how much we can produce out of the land. The farmers of the country have got to realize that the first thing to do is to produce the stuff that we require in the country.

Another point that was made by the hon. leader of the Government in his speech, and one that was rather a surprise to myself, was that the agriculturists of Canada must be protected as well as the manufacturers, and that an attempt to revise the tariff downward would be followed by a protest from the whole agricultural community. Any hon. gentleman who has followed what has been going on in the country for the last few years must have been very much surprised at that statement. We have read in the papers that the legislatures of Alberta, Saskatchewan and Manitoba have passed resolutions asking the Government to reduce the duty on wheat coming into this country, and the farmers have also expressed their wish that something should be done to relieve them in this matter. As was pointed out the other day in a certain case, the Government could have saved the farmer, or put into the pockets of the farmers of the Northwest from five to six million dollars, had the Government done as the farmers asked them and reduced the duty on wheat coming into this country, in order to avail themselves of the offer that has been made by the United States Government. This is one of the things the Government should have done to help the position of the country at the present time. We find, however, that the Government of to-day is apparently not prepared to take steps to meet conditions as they exist in this country, but is sitting back and contending that it is not in its hands to deal with the present situation. The Minister of Finance appears to have satisfied himself that the condition of things throughout the country has got to its lowest point, and everything is going to improve. Therefore, according to his method of reasoning, there is no necessity for him to do anything. He will find it very hard, indeed, to persuade the people of the country that things are quite as well as he makes them out to be. I do not think that he will be able to persuade the farmer that he is to be benefited when the farmer is told that he is to be protected. The farmer may not, perhaps, be so desirous of being protected as hon. gentlemen and the leader of the Government seem to think, because the farmer at the present day does not find that this protection is keeping things out of the country in possibly the way he desired. I know that in the province from which I come there has been a considerable agitation on the part of the fruit growers because they claim that they are not getting the protection that they are entitled to. It is always understood that the present Minister of Agriculture, in the election of 1911, had promised his supporters that if the Conservatives returned to power he would be able to increase the duty on fruit coming into Canada, and help them in the way they wish. That is one of the arguments used in the campaign of 1911, and the fruit growers in that part of the country certainly thought that they were going to get some relief in this way. They have found that the growing of fruit has not been such a money-making business as a large number of gentlemen who went into that business in 1908 thought it was going to be. They have found there was great difficulty in getting their fruit to market and in competing with the fruit that comes into this country from other sources. Like a great many others, they believe that the only help in a case of that kind, is to have

the duty raised. Personally I do not agree with that point of view at all, but I put it to the leader of the Government, that if he says the farmer must be protected, surely it is up to him, and up to the Government, to come forward and increase the duty on fruit, protect the farmer, and give him a protection that realy amounts to something. The same thing would apply to the case of a man raising cattle or sheep in British Columbia. In British Columbia to-day we do not produce enough cattle or sheep for the purpose of supplying the province, and the result is that a great deal of the beef that is eaten in British Columbia is brought from Australia in cold storage. This business is increasing every month, and only a short time ago it was increased by extra ships being put on for the purpose of bringing these products into the country, direct from Australia to Vancouver. The result of this is, of course, that the price of beef and mutton is practically fixed by the cost of bringing this beef and mutton to Vancouver, and the price at which it can be laid down there. If the farmers are to have protection, they would naturally ask that they should be protected from having the market interfered with in this way, but of course, the hon. gentleman may say that if you do such things, you are going to raise the cost of living. If the raising of the duty on beef and mutton coming into Vancouver would raise the cost of living, surely reducing the duty on beef and mutton coming into the country would have some effect in reducing the cost of living. That is the question that is affecting very seriously and materially people all over this country.

Another article of food that we are to-day importing into this country in large quantities, is butter from New Zealand. The figures show that this importation of butter from New Zealand into Vancouver—and of course from Vancouver it is distributed throughout a large part of the western country—is increasing very largely. I have been surprised to find the amount of butter that is sold in the province of British Columbia. Only the other day one ship alone coming from New Zealand to Vancouver brought over 17,500 cases of butter, and the point about it is that this New Zealand butter, apparently, is better butter than is made in the creameries of Canada, or on the farms of the province of British Columbia. On inquiry, I find, in the stores of the country, where the butter has to be brought from Vancouver by rail, and a very high freight rate has to be paid upon it, that a great deal more of the New Zealand butter is sold in these stores than butter manufacured in the country, and simply because the people who are buying it claim it is better butter, and they prefer to pay rather a higher price for New Zealand butter than they will pay for butter from the Alberta creameries, or for that made by the farmers locally. This is the case where the people are using the butter brought in from the outside. They are paying a duty to the Government before they use it, and therefore the price of butter is raised to the farmer and to the people who are using it, more than it would be if there were no duty on the butter. The curious part about it is that this butter from New Zealand, after travelling so many miles, and standing this long sea journey, should be preferred to butter made in our own country, which could be laid down in the stores in a very much quicker time, and should, therefore, be very much fresher than the butter brought all the way from New Zealand and then distributed all over the country. There must be something wrong when butter like that can be brought into this country, and can compete on favourable terms, and is asked for in these stores by the people who consume the butter in preference to the butter that is made in the creameries in this country.

There was another matter in the Speech from the Throne to which my attention was particularly drawn. One paragraph in the Speech from the Throne reads as follows:

> The volume of immigration during the present fiscal year promises to be greater than that of any preceding year. It has come in greatest measure from the British Isles and from the United States, but a large stream of desirable immigration has also reached our shores from other countries.

It must be a great satisfaction to everybody who has an interest in this country to know that this volume of immigration is keeping up in the way that it is. The people who come into the country are bringing their money with them; they are coming here to make a living. Every man who comes into the country is a source of wealth and of use to this country and helps to push forward its development. Some attention, however, should be paid to what has been said by various gentlemen throughout this country, and especially by prominent men in the financial world and captains of industry who know what is being done with regard to the large works now being carried on through this Dominion. Recently Sir Edmond Byron Walker—a gentleman who was held up to us when there was a dis-

cussion on the reciprocity question, and who pointed out to us what Canada should and should not do, and who is a great Imperialist, and a man who has a great deal to say on the affairs of this country—in talking to his shareholders at the annual meeting of the Canadian Bank of Commerce pointed out to them the condition of things in four of our leading cities with regard to the question of construction. He spoke as follows on the subject of building permits in those four cities:

The building permits of the four cities were:

	1911.	1912.	1913.
Montreal. ..	$14,580,000	$19,642,000	$27,032,000
Toronto.. ..	24,374,000	27,401,000	27,038,000
Winnipeg. ..	17,550,000	20,475,000	18,621,000
Vancouver. .	17,652,000	19,388,000	10,423,000

Sir Edmond Walker went on to say:

We have made the comparison for three years in view of the contraction which has begun in some cities. Toronto has just kept even and the decline in Winnipeg is trifling. The marked contraction is in Vancouver, and this no doubt represents conditions in many other western cities.

In Montreal, however, there is a great increase in value, although the number of permits is practically the same.

The figures for Montreal always exclude the large suburbs, the building in which last year is said to approximate $10,000,000 in value.

Here is a gentleman who is an authority on the financial and commercial condition of this country, and he had to point out to his shareholders that there was a marked contraction in operations in Vancouver. He then went on to state that this no doubt represented the condition of affairs in many western cities. That shows that, according to his view of things, the development in those cities is not as good and not as likely to be as good at present and for the coming year, as it has been in the past. They have also Sir Donald Mann who is in touch with the development of the country. The other day in an interview that he gave, when he returned from a trip to the Pacific coast, he told his interviewer that for the coming year the work of the railways would be confined very largely to completing what they had already undertaken, and that very little, if any, new work would be begun. We also have the statement of Mr. George Bury, the western manager of the Canadian Pacific railway, who, after he had been in Montreal and had an interview with Sir Thomas Shaughnessy, was reported in the Manitoba Free Press of January 9, 1914, under a Montreal date line, to have spoken as follows:

Discussions involving large expenditure in the west by the Canadian Pacific railway have been carried on in Montreal during the past few days between Sir T. Shaughnessy and Mr. George Bury, manager of western lines, with the result that appropriations have been passed. A statement issued by the Canadian Pacific railway to-night states that the position this year is somewhat different from that of former years. Last year large and comprehensive schemes for extensions, betterments and double tracking the company's system were pushed. These schemes cannot be completed in a day or two and must be carried to a certain point before extensions are undertaken, so that the expenditures estimated for the western appropriations of 1914 are almost entirely confined for the present to the completion of track laying, &c., on grades already built, on branch line extensions and double tracking, the latter of which will eventually connect Winnipeg with Vancouver, and to the building of Rogers' Pass tunnel, which will be pushed with vigour.

So far as grading is concerned, no less than six hundred miles are now ready for the rails, and there is extensive terminal work at Winnipeg, Calgary and Vancouver, the completion of which has been provided for.

The consideration of the expenditure on any new railway construction or other works will come up again later in the year, when further data has been secured, and there will be another conference with the president.

This statement of Mr. Bury's shows that the Canadian Pacific railway, on looking over the whole situation governing conditions in this country, have come to the conclusion that it is not the time to go ahead and enter upon further work. They started in and did a considerable amount in double tracking last year, and speaking from local knowledge, the idea prevailing among contractors and others connected with this work was that the Canadian Pacific railway would push the work of double tracking and spend as much if not more money this year, in this particular kind of work, than they had spent in 1913. It seems, however, on looking over this situation, that the heads of the company have come to the agreement that it is not advisable for them to go ahead and push this work as vigorously as they thought they were going to do. The result of all this together with the conclusion of work on the Grand Trunk Pacific, which is going to be completed some time in this present year, means that there will not be the amount of work going on in the country that there has been in the year past. I was therefore somewhat surprised in referring to this volume of immigration that the Government hopes to see come into this country during the present year, that there is no statement made as to what they think they can do towards finding suitable employment for those people. The Government's action to some extent, and the way

they look at these matters, must be judged by an Order in Council that they passed a short time ago with regard to British Columbia. It was passed on the 8th December, 1913, and reads as follows:

His Royal Highness the Governor General in Council under and in virtue of the provisions of subsection 3 of section 38 of the Immigration Act, 9-10 Edward VII., and in view of the present overcrowded condition of the labour market in the province of British Columbia, is pleased to make the following order from and after the date hereof, and until after the thirty-first day of March, 1914, the landing at any port of entry in British Columbia hereinafter specified of any immigrant of any of the following classes of occupations, viz., artisans:

Labourers, skilled or unskilled, shall be, and the same is hereby prohibited.

The following ports of entry in British Columbia are hereby designated as the ports of entry at which this order shall apply:

Vancouver, Victoria, New Westminster, Nanaimo, Prince Rupert, Port Simpson, Anjox, Atlin, Bridesville, Chilliwack, Chopaka, Carson, Comox, Cascade Chemainus, Douglas, Gateway, Grand Forks, Huntingdon, Kamloops, Keremeos, Kingsgate, Ladner, Ladysmith, Myncaster, Midway, Mission Junction, Osoyoos, Port McNicoll, Ganges Harbour, Powell River, Paterson, Aldergrove, Rykerts, Rossland, Stewart, Union Bay, Upper Sumas, Pacific Highway, Waneta, White Rock, Steveston, Whales Island.

Nelson and Revelstoke are left out.

The very fact of the Government passing an Order in Council at that time last month, shows what they think of the condition of things in British Columbia to-day. Therefore, it is due to the country that the Government, if this statement in the Address is really as they say it is, should tell the people what they propose to do, and how they propose to provide for the employment, and to help these people who are coming to this country in greater numbers this year than they have come in the past. We do not want to see people coming to this country, sent out here by agents of the Government in other countries, or by other people who obtain from the Government a bonus of so much per head for bringing them here —we do not want to see them brought out to this country and left to drift down into the United States because they do not know where to go or where to look for work in Canada. The other day there was a quotation given from a book issued by the direction of the Hon. Mr. Roche, Minister of the Interior, entitled 'Immigration, Facts and Figures,' showing that in the year ending March 31, 1913, the immigration from the United States into Canada totalled 139,009, while the United States Immigration Commission at Montreal reports that in the year ending June 30, 1913, the number of persons leaving Canada to reside in the United States was 140,515. This is the first year since 1909 that the balance of immigration to and from the United States has been against Canada. I think that the Government should pay some attention to this condition of things and should see that if those people are coming to this country they have some means of making a livelihood, or of finding employment, when they arrive here.

I have taken up the time of the House in making these few remarks. I appreciate very much the kind way in which hon. gentlemen have listened. In regard to the question that was raised by the hon. leader of the Government with reference to the work of this House, I should like to make one suggestion to him. He referred to the fact that Ministers of the Lower House like to take charge of their own measures, and introduce these, themselves. I should like to suggest to the hon. leader of the Government that the question might be considered whether it is not possible to arrange with members of the Government, when they have legislation to bring down, that they may come here and introduce their measures in this Chamber in the same way that they do in the House of Commons. If the Government were to take this matter seriously into consideration, and discuss it with the members of this House, if necessary, I think that an arrangement could be made that would be a very great improvement and benefit to the work of this Chamber. It should result in bringing down for discussion legislation that could perhaps be discussed effectively in this Chamber, and do away with the difficulty we are under every session, of having nearly all the important legislation of the Government brought into this Chamber at the end of the session, when hon. gentlemen are more or less tired, and when they are thinking more perhaps of the winding up of the session than of the important work that is before them. I should like to state this here to the hon. leader of the Government, and I hope that the matter will be seriously taken into consideration by him and his colleagues.

Hon. Mr. BOLDUC—In rising to address this House on the Speech from the Throne, it is not my intention to tax the patience of hon. members by making long remarks. I wish, only, to refer, as briefly as possible, to a few paragraphs in the Address, and also offer a few remarks in answer to what has been said on two questions, which are not

mentioned in the Speech from the Throne, but which have been discussed in this debate. I wish to express my pleasure and the pleasure of all Canadians that Her Royal Highness was able to come back to Canada. Every Canadian thanked God that Her Royal Highness was spared, and will pray that Their Royal Highnesses will be spared for many years to come, and that Canada will have the honour to keep the present Governor General as long as possible.

I have listened very attentively to the speeches which have been made in this House on the Address, and particularly to the speech made by the hon. leader of the Opposition in this House. He spoke as usual with great eloquence and clearness, and in the finest English, but to my surprise he devoted at least half of his remarks, if not more, to two questions which were not even mentioned in the Speech from the Throne. This indicates to me that the hon. gentleman's conscience is not at rest yet because of the way he treated those Bills last session, and the work he did to have them defeated, one of them twice, and the other once. The hon. gentleman and his followers killed those two Bills, yet they do not seem satisfied that they acted in the best interest of this country. The hon. gentleman devoted fully twenty-five minutes to a discussion of the Naval Bill, and almost as much to a discussion of the Highways Bill, which was presented twice in this House, and was defeated by the Liberal majority of the Senate. It is not my intention to speak on the Naval Bill. Every member of the House knows my opinion on the subject. I stated last session what I believed was best for this country, and I gave my reasons for supporting the measure. I stated, and I still believe, that, in the interest of Canada, the Bill which was presented by the Right Hon. Mr. Borden was the best Bill which could be framed. During the last general elections, and prior to it, every one in Canada knew what was the policy of the hon. leader of the Government on that important measure. In all the speeches which he made in the House and outside of it, he stated that if the majority of the electors of this Dominion placed him at the head of the Government, his first act would be to go to England, and inquire from the Admiralty as to the best policy for Canada to adopt to come to the help of the navy of the Mother Country. What did the right hon. gentleman do? After the election in 1911 he went to inquire of the Admiralty if there was really an emergency—a fact which has been admitted by the hon. leader of the Opposition of this House only last week. That hon. gentleman stated from his seat in the Senate that there was still an emergency and a great demand from England to be helped by her most important colony, Canada. We know very well that our trade is increasing rapidly. Our trade on the high seas is over half a billion dollars per annum, and we have always been protected by England, without contributing one cent towards protection of the high seas. And now that we have eight millions of people and are able to help the mother country, are we to continue to refuse our support and refuse to help the empire in protecting our trade on the high seas? I do not believe that the great majority of the people of Canada will consent to this country taking that position, and that at the next general election the present Government will be returned to power, and instructed to force this House to obey their commands. It will be found after a next general election that it is not the Senate that will have the lead. It is not an irresponsible chamber that will have a right to oppose the will of the people. We know what the policy of the Government is and has been. The reason given by the hon. gentlemen of the Opposition in the Senate last year for opposing the Naval Bill was not on account of the expenditure it involved, but because we were sending three empty shells to England—because, as he said, we had not the courage to man those ships. We know very well that the Canadian people are as proud and courageous as any other population in the world, but we know at the same time that the offer of the present Government was accepted by the Imperial authorities, and that the three dreadnoughts were to be loaned to England and not presented as a gift—our Government reserving the right to re-call those three ships if at any time the people of Canada should decide to establish a navy of their own.

Hon. Mr. BEIQUE—Was that in the Bill?

Hon. Mr. BOLDUC—It was stated openly in the House, and you have the word of the Prime Minister and the word of the Minister of Marine and Fisheries.

Hon. Mr. BEIQUE—But the Cabinet cannot ignore the law. When it is not in the Bill, there is no such provision.

Hon. Mr. BOLDUC—My hon. friend forgets one fact: with the late Government

that might have been the case, but with the present Government you are safe when they make a promise.

Now about the Highways Bill: the hon. leader of the Opposition seemed satisfied that he was skating on very thin ice when he spoke on that question. In his opening remarks he said:

> Now, the Speech from the Throne is to me remarkable, not so much for what it contains as for what it does not contain. There are omissions which to my mind are very striking —inexcusable, I was going to say—and for which I can give no explanation whatever. For instance, why has the Highways Bill been withdrawn? It was one of the pet Bills of the Government. It came here on its mission of usefulness, so it was alleged, twice. We are charged with having rejected the Highways Bill..

After having heard those remarks, I thought the hon. leader of the Opposition regretted very much having rejected that Bill during two consecutive sessions, and that he was going to advise the present Government to reintroduce it. However, during the next fifteen minutes he presented an argument, giving the best evidence that in his own judgment it was impossible for the Government even to bring the Bill into the House of Commons. It was, he said, against the constitution, because the constitution was not clear enough in his mind to permit the Government offering any money to help in building the highways in the different provinces. Before doing anything of the kind, he said, it would be well for the Government to take the advice of the people. What does he care for the helping of the farmers of the country? Not at all. When the Government tried to help the farmers of the country, in voting large sums of money to help the making of roads, I believe that it was the duty of every member of this House to congratulate the Administration on so doing. I believe that the farmers have been neglected too long. I farmers have been neglected too long. The farming community, which is the backbone of this country, has not had the help it should have from the Federal authorities—

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. BOLDUC—And I congratulate the present administration on the fact that already they are trying to help the farmers of the country by sending instructors to the different municipalities, and in distributing thoroughbred stock to improve the breeds of horses, cattle, etc. And if it had not been for the action of this Senate, large amounts of money would now be distributed in each province according to population, to make roads for the farming community. Speaking on the same question, the hon. gentleman from Halifax, who is one of the ablest members of this House, one of the hardest workers, and who takes a great interest in all questions which are debated in this House and in the committees, was so short of good arguments to support the action of the Senate in the last two years in rejecting this Bill, that he discovered that this money, voted to improve the highways in the different provinces, was only to link the provinces together. It was not to make cross-roads, he said, but only a road from the Atlantic to the Pacific, forgetting at the same time that the farmers who would use that highway would profit by it. There was no provision in that Bill to prevent the farmers, when that road was constructed, from taking advantage of it, to transport their goods to the railway stations, or to the nearest market. When I heard the hon. gentleman using such arguments in support of the action of the Senate during the last two sessions, I said to myself: 'Good arguments must be very scare amongst them when they resort to such a contention.' We have been so used to changes of policy on the part of the Liberal party, that we do not wonder at the change in this regard, although I must admit that the leader of the Opposition in this Chamber does not agree with the opinions expressed by the leader of his party in the other House. The hon. leader of the Oppossition in this House admitted that there may be a stringency, and that there may be depression, but he could not see how it was caused, and did not know anybody who could know. In the other branch of Parliament, during the present session, the Right Hon. Sir Wilfrid Laurier told how he had been touring through part of the country and had spoken at many meetings, and he discovered, at once, the cause of the depression and the high cost of living. That solitary reason was the tariff—protection. We must remember that the Right Hon. Sir Wilfrid Laurier was the head of the Government for very nearly sixteen years. During that time he had the right to reduce the tariff or increase it. He was supported by a substantial majority. His dictation was law. Everything he tried to do, he could succeed in doing completely. But instead of trying to change the tariff, he hugged it.

Hon. Mr. WATSON—He did reduce it.

Hon. Mr. BOLDUC—I beg pardon, he did not reduce it. The tariff made by Sir Leonard Tilley in 1878 is so similar to the Fielding tariff that they look exactly like twin brothers.

Hon. Mr. MURPHY—A microscopical modification.

Hon. Mr. BOLDUC—As I said a little while ago, why did he not reduce the tariff, if he now discovers—

Hon. Mr. BOYER—There was no depression then.

Hon Mr. BOLDUC—He did not reduce the tariff when he was at the head of the Government, and, therefore, we must conclude that he thought it was the best tariff that could be provided for this country.

Hon. Mr. KERR—Did he not materially reduce the tariff by the introduction of Imperial preference?

Hon. Mr. BOLDUC—A few cents in each case.

Hon. Mr. BOYER—The hon. gentleman voted against it.

Hon. Mr. KERR—Twenty-five per cent preference.

Hon. Mr. WATSON—Thirty-three and a third per cent.

Hon. Mr. BOLDUC—The hon. gentleman seems to have forgotten that the cost of living has been climbing during the last twenty years. He was satisfied that everything was well when he had the administration of the country, but as soon as he was defeated, in 1911, he discovered that Canada was a hard place to live in, that living was very expensive. A man falling from the moon and discovering the earth, would be no more surprised in discovering our planet than the hon. leader of the Opposition, in the other House, was to find how expensive it is to live in Canada. From the high position of the hon. gentleman, from his experience in politics, from his age, everybody expected he had studied the question so thoroughly that he would direct the people how to reduce the cost of living—at the same time he forgot to say that the wages of labourers and mechanics had increased at a more rapid pace than the cost of food. I remember perfectly some thirty years ago when I could hire a man to work on my farm for 60 cents a day. Now I have to pay $2 and $2.50 a day. I claim, and justly claim, that the labourer and mechanic are in a better position to-day, than before the protection policy was adopted. Before the tariff was placed on the statute book of this country, we had soup kitchens all over, in Toronto, Montreal, Quebec and all the important places in this country. But as soon as Sir Leonard Tilley placed the tariff on the statute book, this stringency disappeared. We had no more depression and all the people in this Dominion were so satisfied that the Liberal party never dared to amend that policy except in a very small way. I have stated that the Government is trying to help the agricultural community in this country. I have stated what it is doing. During the time that Sir Wilfrid was canvassing the country, clamouring for free food, and saying the tariff was responsible for the stringency and depression which has existed for a few months in this country, the present Government was working silently, trying to reduce the cost of living and prevent the increase. According to my idea, the first step to reduce the cost of living is to help the farming community. I have stated what the Government has done to educate the farmer. The Government tried also to help the farmer by constructing roads, but they were prevented from doing it. They are sending thoroughbred cattle all over the country to the farmer. The policy of the Postmaster General, in putting into force the parcel post system, will have a great influence in reducing the cost of living, because it will enable the farmer to mail to towns and cities goods up to eleven pounds. He can make arrangements with people in cities and towns to receive these goods weekly or monthly, and in that manner he will eliminate the middlemen. The trusts and combines are mostly responsible for the increase in the cost of living. I have seen a statement in the public press, not more than three weeks ago, that an inquiry has been made in the state of Massachusetts to ascertain what is the amount received by the producer when an article produced by him is sold in the market. The report is that the producer or farmer receives thirty-five cents on each dollar and the middle men, or the trusts and combines, receive sixty-five cents. I think that the Government is bound to take some action which will have the effect of eliminating, as much as possible, the middleman and the trust. Under the parcel post system, the farmer

can make arrangements to transmit his goods cheaply to the consumer, and the farmer will undertake to supply first-class goods.

With regard to the Highways Bill, it has been said that if a round sum had been voted for each province, the Senate might have been induced to pass the measure, and the local legislature would have had sole control of the fund. Judging from the experience in the province of Quebec, I believe the Government acted wisely in not handing over to the local Government the amount to be expended in improving the road. Last year the local Government of Quebec decided to give $1,500 to have a sugar industry in the county of Beauce. We know that at least 60 or 70 per cent of the sugar produced in the whole Dominion is manufactured in Beauce. The local government was willing to have that industry aided to that extent, and I thought that they would locate the industry in a central place where the greater part of the sugar was made. But what has been done by the local Government? Instead of placing that model sugar school in a central place, where most of the sugar is made, they placed it in the oldest parish in the district, where they have only a few maple trees—second growth—where there are not over five or six thousand maples in the whole parish. And why? I do not believe that you can find any other reason than the fact that that parish gives the Liberals a majority exceeding 400. That is the only reason. Those who have experience in the sugar industry know very well that the farmers are so busy in sugar times in tapping the trees, collecting the sap, and boiling it into syrup and finally into sugar, that they have no time to travel thirty, forty or fifty miles to go and see what is being done at the sugar refinery. It is impossible for them to do it. They have sometimes one or two days at their disposal and that is all. If the industry had been located in the centre of the sugar producing townships it would have been much more convenient for the farmers. In these townships, public opinion was about evenly divided at election time, but at the place where the sugar industry was located the Liberals always had a majority exceeding 400.

If we have not suffered more during the few months of stringency and depression, we must thank Providence for the good harvest we have had. During last summer we had one of the best harvests ever produced in Canada. The immigration was infinitely better than that of some years ago. Men are coming now to settle in this country. Numerous public works have been undertaken by the present Administration, public works which had been neglected by the late Administration, even in Quebec, represented by Sir Wilfrid, electing Sir Wilfrid Laurier during the last thirty-seven years by a unanimous vote. or by a very large majority—a riding which received Sir Wilfrid when he had been defeated in his old constituency Arthabaska, after having been made a Minister of the Crown—the old government erected no public buildings. Such buildings were urgently needed there. The only thing Sir Wilfrid did for his constituency was to erect a post office. He paid a high price for the land on which the post office was situated, perhaps three or four times its value, and when he came to have the building constructed it looked no better than a soap box. What has this Government been doing since its advent to power in 1911? Works have been constructed in Quebec, which is the best port in the whole Dominion. It is the port where the high tonnage vessels will have to come, because by the increased volume of trade, one way or the other, and by the increase in the tonnage in building vessels, it is evident that before long it will be impossible for the larger vessels to go to Montreal. And further than that, the port of Montreal, though large, will not be sufficiently large to accommodate half of the vessels that will ply between Canada and England.

Hon. Mr. BOYER—The hon. gentleman has just stated that the vessels would be too large to come up to Montreal. There would be no use in enlarging the port if the vessels could not come up.

Hon. Mr. BOLDUC—They will have the smaller vessels at Montreal, and we will have the larger ones at Quebec. Nothing was done in Quebec to receive the large vessels. Notwithstanding the fact that the three members for Quebec city, and the member for the county of Levis, opposite Quebec, were Grits, the late Government never undertook the improvement of that great harbour. The present Government have given contracts to build a dry dock at Levis. They are constructing large works on the St. Charles river. They are building a fine station near Quebec, and constructing other works along the St. Lawrence. When all the works which have been given by contract by the present Gov-

ernment are completed, the port of Quebec will be one of the finest in the whole Dominion, if not in the whole world.

Hon. gentlemen having referred to the Redistribution Bill, I thought at first that this Bill was of a great deal more importance to the members of the House of Commons than to members of this Chamber. But we had a fair warning from the leader of the Opposition in this House, that if the Bill was not framed to suit him and his party we might expect it would receive the same treatment as was accorded to the Navy and Highways Bills. It may be that some hon. gentlemen on the other side of the House propose to resign from their safe seats to run at the next general election. In that case I would advise these gentlemen to make the statement publicly, so that we will be able to carve some counties where they will surely be elected, in order that we may see them in Parliament—whether in this House or the other. I will not be surprised if there are many changes in the whole Dominion. In the province of Quebec the number of members cannot be increased or decreased. We cannot have more than sixty-five, and they cannot reduce the number. However, there is so much difference in the population of the different counties of the province, that I believe the Government will have to make a complete redistribution of seats in the province of Quebec. For instance, we have in Soulanges, Quebec West and Vaudreuil counties nine thousand souls. On the other hand we have a population of about 63,000 in St. John and about 52,000 in Rimouski, and the same number in the county of Beauce. Is it just that small counties of 9,000 people should have the same representation as a county of 63,000? The Government is trying to redistribute all the seats and make division of the counties, as evenly as possible. If I had anything to say in the redistribution of the seats in the province of Quebec, I would strongly urge the redistribution of seats according to population. We know very well that it is never possible to have exact equality in numbers. The number of people represented by one member in the province of Quebec should be about 30,000. I know it would be almost impossible to have that exact number in each riding, but I would advise the Government to do as much as possible to have the same number of people in each riding.

As to the increase in the number of Senators in this House, judging by the interest taken in the administration of the affairs of the country by all the western members of this House, I, for my part, shall welcome with pleasure the addition mentioned in the Speech from the Throne. However, we have had fair warning from the leader of the Opposition that the Government must be very careful in the preparation of that measure, and that if there should be anything in the Bill contrary to the constitution, it would surely be rejected in this House.

Before resuming my seat I wish to join the hon. members in expressing the wish that we may have a harmonious and pleasant session.

Hon. Mr. LEGRIS—The House having already been favoured with many very able speeches, I desire to say just a few words. First, I wish to congratulate the Government, which seems to be disposed to furnish the members of both Houses with an opportunity to discuss the affairs of this great Dominion as early as possible during this session. We all know that we have in Canada many questions of the highest order to deal with. There are many problems for us to solve. The emergency of which we heard so much during last session seems to have disappeared. Our friends on the Government side who were really uneasy for the safety of the empire, seem to be at rest now. During the last two or three sessions a considerable part of the time was devoted to discussion of this important question, and to devise some means for Canadians to come to the rescue of the mother country. The question was how this could be best done. The Prime Minister was anxious to give $35,000,000 of Canadian money to her, or to big warship construction companies. On the other hand the leader of the Opposition in the House of Commons was not satisfied. He was willing to give the brain and the heart of Canadians. Fortunately to-day, judging by the Speech from the Throne, the empire is safe, and members can mind their own business and the affairs of the country. I was somewhat surprised last week at the attempt made by the hon. leader of this House to explain why the Government does not contemplate the introduction of some contribution Bill, or the giving of some $35,000,000 for the building of three dreadnoughts. Why also has the Government done nothing so far to carry on the naval policy? That position taken by the House, was wise indeed. There was nothing else than to say to the Government:

Your proposal is a new departure. You have no mandate to impose it on the people. Before your policy becomes law go and ask the electors who will be called upon to bear such a heavy burden if they approve of it.

That is all. Was it not fair? Where is the harm in it? The Prime Minister of to-day himself made the same request. In the House of Commons a motion was moved, on February 3, 1910, asking exactly the same thing, and asking to have the whole question referred to the people by means of a plebiscite, and the whole Conservative party in the House of Commons voted with him. The same proposition was offered in this House by the present leader of the Government. This must be sufficient to prove that the Senate acted wisely in asking the Government to refer that question to the people.

To-day, from one end of the country to the other, the people are struggling and suffering from the high cost of living. There are thousands and thousands of workmen idle. Business is paralysed. The position is the most serious possible, and if the Government, instead of trying to share with the British Government the responsibility of running a part of the British Empire, had paid more attention to Canadian affairs that crisis would have been avoided, or at least partially avoided.

Now, looking at the present position of affairs, I say it is time to slow down on extravagant public expenditures, so that the duties on imports may be scaled down. That will mean cheaper prices on many commodities required for our daily domestic life. The question of the high cost of living, in comparison with all other questions, is the most important. In my opinion there are two causes contributing to create these high prices; namely high duties and the immigration of many thousand undesirable people. We have blindly brought these people into the country at great expense, and they are now a burden in our cities, and to the country. The Government should do something, and do it soon, to remedy the evil. These two questions are entirely in their hands, and if they see the situation as it is, they will act promptly to bring relief to the country. In doing so the Government will deserve the approbation of this House and of the people.

Hon. Mr. DAVIS—It is rather late in the debate to enter on any extended remarks. Still I want to give expression to some ideas, even if it is late. I have listened with interest to some of the speeches delivered on the other side of the House. They have led me to the conclusion that hon. gentlemen opposite should organize a mutual admiration society. The hon. gentleman from Lauzon (Mr. Bolduc) had a great many nice things to say about the present Government, amongst others that they always carried out their promises.

Hon. Mr. BOLDUC—Every one of them.

Hon. Mr. DAVIS—I will mention some that they have not carried out. Some of the promises made by the present Prime Minister before the last election, have not been fulfilled; one of them was that they intended to give the natural resources of the Western provinces to the local governments of those provinces. Has that been done?

Hon. Mr. BOLDUC—It will be done in good time.

Hon. Mr. DAVIS—The only supporter the present Government had in Alberta, the Hon. Mr. Bennett, got tired waiting for the Government to fulfill their promise, and has recently made a statement, at a public meeting in Calgary, that, if Mr. Borden delays any longer carrying out his promise to give the western provinces control of their natural resources, he will vote against the Government. Previous to being taken into the Cabinet, Mr. Arthur Meighen was up in arms against the duty on agricultural implements. He said the farmers were being robbed, and the duty on agricultural implements must be removed. Since then, he has been made Solicitor General with a good fat salary, and we do not hear anything from him now about the high duties on agricultural implements. He has forgotten all about the promises he made to the people. Another promise made by the present leader of the Government was that if his party were returned to power, they would purify the elections. What kind of pure elections have we had since the change of government? Is the 'gum-shoe' brigade, and the 'rubber boot' brigade that has been operating in the by-elections, evidence of it? Is what took place in Macdonald, Manitoba, further evidence that Mr. Borden is carrying out his promise to the people?

Hon. Mr. BOLDUC—The hon. gentleman must know that in Macdonald, Manitoba, there has been another election, and the successful candidate was returned by an increased majority.

Hon. Mr. DAVIS—It cost a good deal more money.

Hon. Mr. BOLDUC—The hon. gentleman does not seem to know much about it.

Hon. Mr. DAVIS—I happened to be in the city of Winnipeg when the election took place, and I happen to know something about it. I know something about the operations of the Adanac club. The machine was out in full force in that riding, and the Liberals were not bothering themselves much about the election. My hon. friend has forgotten the fact that the member elected for that riding acknowledged the corn—admitted that he had been elected by corrupt methods. Why did he do that? He did it for fear that something worse would be found out.

It is a good thing that the rules of debate give us a right to go outside the Speech from the Throne to discuss public questions, because, really, there is very little in the Address to discuss. We are told that we are to have a Redistribution Bill; that is something called for by the constitution. We are told also that we are to have a Bill to give increased representation, in the Senate, to the western provinces. There is no Navy Bill, and no Highways Bill, but we have had a discussion on both subjects. With reference to the increased representation to the western provinces in the Senate, I should like to know if the Government has received petitions or requests from anybody, except people who are hunting for positions, for increased representation of the West in the Senate? We have an idea in the West that there should be a re-adjustment of the representation of the provinces in the Senate. The western people will not be long satisfied with having only the same representation for these four great provinces as either Ontario, or Quebec, or the Maritime provinces have in the Senate. There must be a redistribution all along the line. We have in the Prairie provinces remarkably fertile lands and we are entitled to proper representation.

Hon. Mr. BOLDUC—What is the population at the present time of the four western provinces?

Hon. Mr. DAVIS—It does not make any difference what the population is. The representation of the provinces in the Senate is not based upon population, but upon the interests to be represented. The western provinces are paying more money into the treasury of this country than Ontario or Quebec, and have a larger population than the lower provinces, which have twenty-four Senators to represent them. The time is approaching when the representation of the provinces in the Senate will have to be reconsidered and readjusted. We are told that the Naval Bill has been slaughtered. By whom? I thought it was understood, when the Senate declined to accept the Naval Bill, that Mr. Borden was to resign and go to the country, as the British Government did when the Home Rule Bill was rejected by the House of Lords. But Mr. Borden is wise in his day and generation. He knows that if he had gone to the country on his Naval policy he might not be elected himself; but if he were elected he would be sitting on the other side of the House. The Government has no right to introduce a Bill to increase the representation of the western provinces in the Senate until the whole matter of representation in the Senate is adjusted. Mr. Borden cannot adjust this matter, himself, but he can initiate the adjustment. He can call a meeting of representatives of the nine provinces in the Dominion and devise some scheme for reforming this House. He cannot change it without the consent of the provinces. Possibly the Premiers of the several provinces might decide to diminish the representation in this House, and if that were agreed upon we might put a Bill through the Imperial Parliament to give effect to whatever they agreed upon. However the leader of the Government is waiting for the hand of Providence to reform the Senate.

I was amazed the other day to hear the speech of the senior member for St. John (Hon. Mr. Daniel). Amongst other things he said; 'How can the Government carry on the administration of this country, if the Senate is to interfere with legislation?' One would think, to hear the hon. gentleman, that any legislation proposed by the Government, no matter what its character, must be regarded as sacred, that the Senate has no right to amend or reject a Government measure, If that view were sound, of what use would the Senate be? The framers of Confederation must have had an idea that a second Chamber was necessary, otherwise it would not be in existence to-day. If the majority in this Chamber think a Bill should be amended, it is their duty to amend it, yet supporters of the Government hold up their hands in holy horror

when the Senate does anything of the kind, and inquire why the Senate puts its ungodly hands on Government legislation. If the senators think proper to amend or reject a Government measure, they are exercising their functions as a second Chamber. Did not the leader of the Government say that if the Senate should throw out this Bill, he would appeal to the people?

Hon. Mr. Bolduc—No.

Hon. Mr. DAVIS—It is reported in the press that he said so in Montreal, and other places. Has he carried out that promise?

Hon. Mr. BOLDUC—He promised that when the Government decided upon a permanent policy they would submit it to the people.

Hon. Mr. DAVIS—He made a statement that if the Senate rejected the Naval Bill he would appeal to the people.

Hon. Mr. McKAY (Cape Breton)—He never made such a statement.

Hon. Mr. DAVIS—That is how it appeared in the press. This matter of contributing $35,000,000 to the Imperial Government had never been brought before the country. All that the Senate said was: 'You have no mandate from the people to send $35,000,000 of the people's money out of the country. Before you do that we demand that you should consult the people. Was not the Senate right in taking that view? Who pay the taxes? The people; and when it is proposed to put a load on their shoulders without consulting them, it is the duty of the Senate to see that the matter is referred to the electors. I heard the leader of the House the other night talking about sincerity. If the Government had been sincere in this matter, what would they have done? The Senate did not tie them down to dissolving the House and going to the country, but the Government could have taken that course or submitted the question to the people by means of a plebiscite. A vote could have been taken on the question in August, and the House could have met in November. Then if they had a mandate from the people, they could have introduced their measure and the two Houses would have joined in passing it. The Government did not care to consult the people in a general election, but they did consult South Bruce, and there could not be a better constituency selected to test public opinion on the question. The electors are good, solid farmers, and those farmers gave expression to their view. The constituency was filled with the best speakers the Government could put forward, and yet, although the Government had been in power only two years, the Government candidate was defeated. The former member was wise enough to come to this House—he foresaw what was coming. Then take Middlesex; the same thing happened there, although there was no member elected, in support of the Liberal party, the majority for the successful candidate was cut down about one-half. There was an expression of opinion from Ontario, and my hon. friend from Lauzon (Hon. Mr. Bolduc) must be aware that there would have been a similar expression of opinion in Quebec, if an appeal had been made to the people there. That is why the Government have not introduced a Naval Bill this session. They have laid their cards on the table, and the trump cards for the next election are the Naval Bill and the Highways Bill. Now what did the Senate do in the matter of the Highways Bill? They simply amended it so as to incorporate the promise made by the leader of the Government, that the money appropriated for highways should be handed over to the provinces to be expended on the roads. Mr. White, the Finance Minister said the same thing, and the Senate said, we will put that in the Bill. But the Government said, oh, no, we keep our promises, but we do not want to have it put in writing. I have here a clipping from the London Advertiser.

Hon. Mr. MURPHY—What party does the London Advertiser represent?

Hon. Mr. DAVIS—It is published in a good Conservative constituency. At a meeting of the Good Roads Commission, held in London on the 16th of last month, the following resolution was adopted:

> We approve of provincial and federal aid toward construction and maintenance of highways.
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> We disapprove of federal or provincial management and control of highways, except under special conditions, believing that such aid or assistance as the Federal Government gives should be paid direct to the Provincial Government, and by them, together with their contributions, be paid in turn to the county or township councils for highway improvement, under regulations prepared by the Provincial Highway Department of Public Works, and that all works of road improvement should be under the direct management of commission or commissioners, appointed and directed by the county or township councils, supervised by the provincial engineers and inspectors.

Hon. Mr. McKAY (Cape Breton)—There is nothing wrong about that. It is only what the Bill provided.

Hon. Mr. DAVIS—The Bill only provided for that after it had been amended by this House. Then where was the Bill slaughtered? It was slaughtered in the House of Commons. Now I do not suppose there was a Liberal on that Good Roads Commission—if so he must have been there by accident. If the Bill was slaughtered, strangled or emasculated, it was done in the other House—they killed their own child. The Senate merely improved the Bill and sent it back to the Commons, and there it was killed. We passed five clauses of that Bill and amended one. That amendment was to incorporate in the Bill what the Government had promised to do. In a business transaction I am always careful how I deal with a man who is not ready to put in writing any promise he makes. I say the House of Commons slaughtered the Bill themselves, and they were mighty glad to do it, because it was merely a bluff.

Some hon. gentlemen have told us what wonderful work the Government has done in the construction of the Hudson Bay railway. That road had been started before the present Government came into power. The contract for its construction had been let, and the only thing the new Government did was to compel the contractor to take a Government supporter in as a partner. They also sent freight to Port Nelson without making any provision for unloading it, and the cargoes had to be taken back at the expense of the people. The Government are building a road—they do not know where they are going, but they are on the way. They have wasted a great deal of money, and so far only seventy miles of the road has been built. There is a muskeg at The Pas. There may be some good patches of land in it, but the greater part of it is unfit for cultivation. The Government sent surveyors there to lay it out in farm land, but, a short time before the survey, gentlemen from Winnipeg came there and squatted on the land. After the survey the rights of the squatters were recognized, and, in this connection, something was done which will be brought out later. Some of these squatters had their property surveyed into lots, and called the place the Pas Annex. They have sold about one million dollars worth of lots already. A notice was published in the papers that the Government were going to establish a terminal there. That is about all the present Government has done towards the construction of the Hudson Bay railway.

Reference has been made to the high cost of living, and especially to the high cost of food. Now the high cost of living does not depend altogether on the price of food. The high prices which have to be paid for clothing add to the cost of living. The food used in a family does not amount to half as much as the expenditure for keeping up the home. Now if the Government want to do something for the people, why not give some relief in the way of tariff reform? I looked in the Speech from the Throne for some reference to tariff reform, but no mention was made of it. If you reduce the duty on woollens the people will get cheaper clothing; the same remark applies to cotton goods. If you want to help the people in our part of the country take the duty off agricultural implements, and that would reduce the cost of living to them. Reduce the duty on boots and shoes and other necessities.

Hon. Mr. McKAY (Cape Breton)—Is the hon. gentleman, in the remarks he has made about the cost of food, following in the line of policy that was announced at Hamilton by Sir Wilfrid Laurier, or is he announcing a new policy on his own account?

Hon. Mr. DAVIS—I have no leader. I am speaking for myself. I am independent, not like my hon. friend who talks of independence on the other side of the House. Any one who is sincere in his desire to reduce the cost of living can accomplish that end by reducing the tariff on the commodities that people use.

Hon. Mr. McKAY (Cape Breton)—The hon. gentleman is talking about the high cost of living, and his leader announces that his policy to reduce the cost of living is to make imports of food absolutely free. That is his policy and that alone.

Hon. Mr. DAVIS—That is his policy, but we want to go a little further. We want to get the duty taken off the commodities now manufactured by trusts and combines—articles which are sold at exorbitant prices because of the present tariff. We hear a good deal about getting the people to go back to the land. If you want to get people back to the soil, you must make the returns from agriculture larger. Everybody talks about the producer; no one seems to consider the consumer. It is time that the consumer had his innings in this country. Take agricultural implements as an example

of how the people are taxed. A binder which sells for $160 to $180, does not cost to manufacture more than $38 to $40. A short time ago at Washington the Government wanted to buy typewriters. The price to the ordinary consumer is $120; the Government got them for $14 apiece, and at that price the manufacturer had $1 profit on each machine. If the Government want to do something for the people let them appoint a commission to look into the cost of production of manufactured goods. The Minister of Trade and Commerce says that we have had too many commissions. And let me say here, that he has got to be quite a sailor. He has sailed so much that we might make him admiral of the fleet. Let the Government appoint a commission, and give it authority to go among the manufacturing industries of the country and figure out exactly what it costs to manufacture the commodities which they sell to the people, and let the public know exactly what these things cost, and you will be doing something towards reducing the high cost of living. We know that there is a combine that controls the manufacture and sale of farming implements, and we are told that if the duty were taken off these implements the sale would still be controlled, on both sides of the line, by the combine. But there is a way to get at the trust, and relieve the people. Let the Government find out what it costs to make a binder, what it costs to make a pair of boots, or anything else that the people have to purchase. Let the people know what it really costs to make all these different articles, and you will find that there will be such a tumble in prices of those articles, that the people will be able to live on a reasonable amount in a short time. It is all nonsense to talk about the soil, and the cry let us get back to the soil. The farmers are on the land in my part of the country, and we have the most fertile soil to be found in the world. For the purpose of raising wheats and cereals, you cannot get a better climate. Still the farmers are not making a cent. Why? Because they cannot get enough for the grain. They have to pay exorbitant rates for the transportation of the grain, and the door which should be open to them is shut in their faces. The farmers come down here and say: 'We are not asking you to raise the duty: but we are asking you to take the duty off, and we will work out our own salvation'. The Government say 'No, we will protect you against your own wishes', like the small boy and the castor oil, 'We will pour it down your throat'. The Government are taking the farmers of the West by the nose, and are pouring this medicine down their throat. And the manufacturers of agricultural implements and manufacturers of boots and shoes, are standing around while the dose is being administered. And now this wonderful Government, which my hon. friend is so much struck on, is doing nothing. The three prairie provinces produce an enormous quantity of grain per year, and when the farmers come and ask to have the tariff taken off, because it interferes with their getting to market, they are told it cannot be done. Is that reasonable or logical? There must be some reason why the Government refuses the demand of the people of the West.

The millers want to get cheap wheat. Those millers sell their flour in England a good deal cheaper than they sell it at the mill door at home. The grading of wheat in the United States is different from the grading here. Grade No. 3 in Canada is Grade No. 1 in the United States. Wheat is worth 10 cents more in the United States than in Canada. We can send the wheat over, have it ground there, bring the flour back and sell it for 50 cents less the sack. The farmers from the West are sent home about their business, and the Government say 'We cannot do anything for you.' But the miller gets the ear of the Government and says: 'No, you must not remove the duty. If you do the wheat goes into the States.' In that case the farmer would get more for it, but they say 'That does not make any odds, we want it kept here, we helped you to get into power, and if you want to stay in power you will require our assistance'. All the poor farmer has to look forward to is the buncomb speeches which will be made in the West by the supporters of the Government at the next election, to try and make them believe that this is the best Government on the face of the earth. The same Government is giving them a dose of tariff oil, and holding them by the nose while they are administering it. The farmers understand the situation exactly, they have been humbugged long enough, and do not propose to be humbugged in future. They are organized in the western provinces, and they will be organized in the eastern provinces. As far as the West is concerned, it does not matter what kind of a Redistribution Bill is prepared. They can cut the West up, all they like, but they will get

very little support unless they change their tactics and give the farmers what they ask for. The farmers are simply asking to have the duty removed.

At present the people of eastern Canada dictate to the western farmer where he shall buy the commodities which he consumes. They force him to buy in a protected market. If you dictate to a man where he shall sell the article he produces, is it not impertinent? It is bad enough to make him pay you money, and buy in a protected market, but when you tell him he cannot sell except where you say, it is going too far. It is time he scratched his head, and asked: 'Are we hewers of wood and drawers of water for the people of this country'? They are not free men, if that kind of treatment can be given them.

I am sorry the Government did not reintroduce the Naval Bill. It is interesting to observe the different ways they have of dodging around, and trying to get out of a hole. Generally in our country when a gopher gets into a hole he has another hole by which to get out; but this political gopher has not provided a hole for his exit. Or if there is a hole somebody is at the hole with a pitchfork. The Government know perfectly well the people do not want that Bill. If they thought they had any chance of carrying the country they could have gone to the country on that measure. They could have got a plebiscite. But they come back humbly without a word to say. They simply announced that it would not be introduced again. I think the hon. leader of the Government in this House must have been sitting at the feet of the illustrious statesman, Sir Rodmond Palen Roblin when we hear him talk about disloyalty, and about loyal men. The leader of the Government in this House said that every loyal man in the country was behind that measure. He practically said, in so many words, that every other man in this House who did not agree with him was disloyal. Do hon. gentlemen think it is pretty nearly time to take a tumble? They ought to know what Dr. Johnson said about patriotism. He said it was the last refuge of a certain class of gentlemen. This sort of tin-horn, cheap, flag waving business is pretty nearly gone in this country. You can fool all the people some of the time, and you can fool some of the people all the time; but you cannot fool all of the people all of the time. The people are wise to this tupence ha'penny flag-waving business. It was an effort to make the people believe that the Liberal party was going to hand the country over to the United States. You cannot repeat that a second time. It is no wonder our honourable friends are getting into trouble; they do not know what to do to get out of the hole they are in. Look at the hon. gentleman from St. John. He read a lot of extracts from the resolution passed in the House of Commons in 1909. Both political parties were voting for that resolution. The Government met the Opposition more than half way because they accepted every proposition the Opposition leader of 1909 wanted inserted. That proposition, when it was brought down and voted on, was the resolution of the Hon. Mr. Borden of the Conservative party. We thought it was all settled and we were going to be unanimous in connection with it.

Hon. Mr. MURPHY—No emergency then.

Hon. Mr. DAVIS—No, it had not been trotted out then. Everything was lovely until there was a certain election in Drummond-Arthabaska, and Hon. Mr. Monk went down there, and became a Nationalist. I do not know what he is now. However, they were able to defeat the Government candidate. The hon. member from St. John tried to justify his vote on that resolution in 1909, and then to justify himself for voting the other way. Is that not a spectacle for the gods? Those gentlemen are trying to get out of the hole. There is not one out of twenty-five who wants the money provided for in the Naval Bill sent out of this country. What about good old Toronto—a real old Tory town if ever there was one in this Dominion. There was a meeting there the other night, and they decided that if the Dominion had $35,000,000 to spare, it should be distributed among the unemployed. Why did the Government not carry out the requests of those people and assist the unemployed in some way? My hon. friend was telling us what a splendid Government this was; why then do they not do something? I was surprised to hear the speech of the hon. mover of the Address. He had studied the question before. He used a lot of figures. I used some of these same figures eighteen years ago. They were all right and correct enough. He told us what the country was doing, and he told us about the mutual admiration society, and of the wonderful things the Government had done. He congratulated the Finance Minister on the Budget and the large surplus. Did he expect, after this machine was well under way for fifteen years, and was going at sixty

miles an hour, that they could put the brakes on it any quicker than they did, and that it could have stopped any more quickly? If a man takes care of himself for fifteen or sixteen years, he will be in good physical condition, and I defy him to kill himself in less than two years. And that is about what they have done. They have brought the country to a state of starvation in that time.

Hon. Mr. McKAY (Cape Breton)—Are Alberta and Saskatchewan in that condition?

Hon. Mr. DAVIS—They have a little better Government than most places, but the country as a whole has any number of unemployed. There is no use trying to dodge around the bush, the Government must face the difficulty. They have, themselves, by their action two years ago in shutting out all American capital, caused all the trouble. We had three good crops in the West: one was in the building of the railways, another was in the grain that was produced, and the third was the immigrants who came into the West and brought with them large sums of money. At that time: 'Everything was lovely and the goose hangs high.' After reciprocity was defeated these gentlemen said 'Well, we are not wanted in this country: we are going to be kicked out: we cannot do business here the same as we have done in other countries of the world: we will go home before we are kicked out'. They simply went home and took their money with them. When the supply of money was cut off in the West, the factories started to close down. Where does the Massey Harris Company sell their ploughs? In the West, of course. Where does the Massey Harris Company sell their manufactures? They sell them in the West. When the money was shut off in the West, times got very hard in the East. I was amused at my hon. friend who moved the Address, who read some article from a book to the effect that England had lent us all kinds of money for one per cent less than she could have got from other nations. Is the hon. gentleman serious in a statement of that kind? The Englishman is the same as any other business man. If he can get five per cent he will not lend to anybody at four per cent, it does not matter whether it is a Canadian or any other nationalitiy. For eighteen years my hon. friends on the other side were in power in this country. How much money did the people bring in this country, from England to invest? Hardly a dollar. Where did they take their money. To the republic on the other side of the line, building transcontinental lines to the Pacific coast. When any good feeling was established, it was the Liberal party accompished it by increasing the preference and showing the English people that we wished to get in closer connection with them. That is what started the ball rolling, and it has had the effect of bringing English capital into this country. The good feeling has not been created by anything these flag waving people have done. Their action will tend to drive it out again. The Englishman is a good business man, with good business instincts, and if he cannot make any money by loaning in Canada, if the security is not good, he will not lend it. Capitalists will only invest it where they will get a return. It was only after the inauguration of that preference, that they started to lend money in Canada. I would advise my hon. friends if they have any influence with the leaders in the other House, if they want to do something to carry out the pledges of loyalty which they have been expressing all over the country, then let them endeavour to increase the British preference to fifty per cent. Then we will get cheaper boots and shoes, cotton goods and earthenware, and everything we have to use. If I had my own way I would take the duty off altogether. I stand for the British connection. I want free trade between Canada and the mother country. Then they could extend it to the other colonies, and they would be doing something. With reference to the flag waving business, it reminds me of the story of the poor widow. People sympathized with the poor widow, but when asked how much they sympathized,—when it came to a matter of dollars and cents—they had no sympathy at all. The manufacturers sympathize with the idea of British connection, they are patriots. until it comes to affect their pockets. But at that moment they say: 'I think we had better consider it, we will wave the flag, but we will not give anything in the way of a reduction of duty.' I wish the Government would consider the facts that I have placed before them—that the proper commission to appoint is one that will look into the cost of the different articles which the people have to consume. Give the matter publicity. If it costs $48 to make a binder, let the people know it. If it costs $100, is it not just as well to dispel the idea the

people have that it costs so little to manufacture? Do not appoint such a commission as the one which has been recently appointed—a lot of Government officials dependent for their bread upon the Government. Does anybody expect they will make a report against the wishes of the people who are paying their salaries? That is not the kind of commission we want. We want an independent commission.

Hon. Mr. GIRROIR—I am very anxious to understand what policy the hon. gentleman advocates. I am not sure whether he is in favour of absolute free trade or a preferential tariff with England.

Hon. Mr. DAVIS—As far as I am concerned I would have a tariff that would give relief to the people who need relief in this country. Or in other words as they say out West 'I would put the saddle on the right horse.' If we have to raise a revenue in this country, let the people who can afford to pay it, do so. I would tax the luxuries, but so far as the ordinary farmer in the country is concerned, I would put his implements, used in tilling the soil, on the free list.

Hon. Mr. GIRROIR—The hon. gentleman has not made his policy clear. Is he in favour of absolute free trade, or a preferential tariff?

Hon. Mr. DAVIS—I have not said anything about absolute free trade. I say that I would reduce the duty, as far as I could on cotton goods, woollen goods, boots, shoes, agricultural implements, and sewing machines, and in some cases remove it entirely. If we required to raise revenue, I would put the duty on wines, liquors, cigars, silk shirts, and the automobiles in which these gentlemen ride around the country. I would give the people relief in that way. That would be found to reduce the cost of living. You will make the soil productive and the homes attractive, and the people would go back to them. But when you make a man pay $160 for a binder which costs the manufacturer $38, and $120 for a plough which cost originally $30, and $70 for a sewing machine which was manufactured for $12, and $120 for a typewriter which was made for $14, it is not right. No doubt, it is the same with boots and shoes. Gentlemen were travelling around the country with a magic lantern, two or three years ago, and somebody was paying for that magic lantern. Those gentlemen do not get suddenly rich without some cause. No man can get rich in a week, unless he invents something. A man might find some gold in the ground, and become suddenly wealthy, but following ordinary trade, when you find a man getting rich in two or three years, and manipulating stock and forming mergers—selling bogus stocks that did not cost five cents—there is a nigger in the fence somewhere. We should ascertain where that nigger is. The people are paying too much for what they consume. Put the saddle on the right horse and take the duty off the poor man, and place it on the rich.

Hon. Mr. McKAY (Cape Breton)—The Premier of Saskatchewan has made the following statement:

> Saskatchewan reaches the end of the year with her farming population in better position and in better spirits than was the case a year ago.

That is the statement of the Hon. Walter Scott. Is it correct?

Hon. Mr. DERBYSHIRE—It ought to be.

Hon. Mr. DAVIS—If Premier Scott were to write down and tell the hon. gentleman the whole country was going to the dogs would the hon. gentleman—

Hon. Mr. McKAY (Cape Breton): And the Hon. A. L. Sifton made the following statement:

> Judged by every standard of the economist, Alberta exhibits a condition of prosperity. Nineteen hundred and thirteen has been one of the best years in this period.

Is that statement correct? These are two great leaders of the hon. gentleman's party.

Hon. Mr. DAVIS—If my hon. friend was Prime Minister of Saskatchewan would he write down and say the whole country was in a bad state. Saskatchewan has nothing to complain of. Between the provinces, we have raised nearly half a billion bushels of grain. We are complaining, not that our soil will not produce, not that our climate is not right, but that we cannot get what our grain is worth. We believe that, while the price of flour is going up by leaps and bounds, the price of grain is going down. We have to pay six cents a bushel on all the oats we export, and we are sending millions of bushels to the United States where we sent none before. The same remark applies to barley. We have a right to trade across the line as far as selling our produce is concerned, but we

are unfairly taxed. We are complaining that the trades and combines are charging twice as much as they should for commodities. This Government has been in power two years. Will any hon. gentleman tell tell me what they have done in that period? The Hudson Bay railway was being built before they came into power. The contract was let. The road to The Pas was being built. All they did was take up two or three hundred men to Port Nelson They did not know what they were doing. In addition to taking men up there, they loaded a lot of material on ships and transported it to Hudson Bay, but they had to take it all back again.

What have they done with the tariff? Have they done anything with it? My hon. friend says they have built public works all over the country. We have a Minister of Militia building an armoury at every cross-road. How much have they increased the money given for the assistance of live stock in this country? Two hundred thousand odd has been given for the promotion of the live stock industry. How much has been devoted to the militia: About $18,000,000. Moreover, here is our Minister of Militia travelling around in gold lace, in an automobile, and a special train, and an army of stenographers, going all over the country. He must have a lot of them. People on the other side, seeing him travel with his escort, will say to themselves, 'Those people must be some nabobs, over in that country.' Do my hon. friends not think that money could be better spent in the interest of Canada? He is asking for this expenditure expecting some people are going to profit by it. Did hon. gentlemen ever hear of a resolution passed by farmers asking that an armoury be constructed? No. Did they ever ask for a new battalion? No, they never did, but these things are being done. I venture to say that next year they will have hard work to make the ship go, because our revenue will be reduced, judging by the shape business is in to-day. They have got rid of the surplus in a very short time. The last Government left a full treasury but it will be empty soon. When Sir Wilfrid Laurier assumed the reins of power, the treasury was empty, but he filled it up. Now the other party have dissipated the whole thing. The result will be that we will have soup kitchens and all that kind of thing, and it may be that they will have to declare martial law to preserve order. Now is the time to build railways when labour is cheap and people need the work, rather than to wait until times are good and people do not want work. The Government could accomplish a great deal if they reduced the tariff on articles consumed by the poor people, but as long as my hon. friends pat them on the back and tell them every thing is lovely and the goose hangs high, nothing will be done. I have tried to show hon. gentlemen what the West thinks about the high cost of living. It is not so much the commodities we eat, because the farmers raise these commodities, but when we buy dress goods or calicoes and other commodities we have to pay a big price. In conclusion, let the Government consult the different provinces and reduce the number of senators in this House. Give Ontario and Quebec the same representation as the other provinces. Why should they have twenty-four each and the western provinces have only six each? It will never satisfy the western country. If the hon. gentlemen would stop talking about the Government carrying out their promises and do something for the country the people would be benefited, and it would be better for all classes of the community.

Hon. Mr. DERBYSHIRE—I am delighted with the brilliant speeches which we have heard this afternoon. I feel inspired, and I propose to withdraw my motion to adjourn in order that we may have the benefit of a few more of these eloquent speeches.

Hon. Mr. MURPHY—I move the adjournment of the debate.

The motion was agreed to.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

Ottawa, Tuesday, January 27, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

REPORT OF SALISBURY AND ALBERTA RAILWAY.

MOTION.

Hon. Mr. DOMVILLE moved:

That an order of the Senate do issue for a copy of the annual report made by the Salisbury and Albert Railway Company to the Railway Department.

Hon. Mr. LOUGHEED—There is no objection to the motion.

Motion was agreed to.

REPORT OF CENTRAL RAILWAY COMPANY.

MOTION.

Hon. Mr. DOMVILLE moved:

That an order of the Senate do issue for a copy of the annual report made in January, 1913, by the Central Railway Company to the Railway Department.

Hon. Mr. LOUGHEED—There is no objection to the motion.

Motion was agreed to.

HEROIC CONDUCT OF CREW OF STEAMER JOHN CONN.

INQUIRY.

Hon. Mr. DENNIS inquired:

That he will ask the leader of the Government in the Senate what steps the Government propose to take in recognition of the heroic conduct of Captain Adelbert L. McKinnon and crew of the little steamer John Conn and of his brother Captain J. Edgar McKinnon and crew of the steamer Cook, both of Westport, in rescuing the passengers and crew of the Royal mail steamer Cobequid, wrecked on Trinity Ledges, while on her maiden voyage from the West Indian Islands to St. John, N.B.?

Hon Hon. Mr. LOUGHEED—Steps were taken some days ago to ascertain the exact nature of the services rendered in each case, and, on this information being obtained, the Government will take into consideration the most suitable form of rewarding the parties referred to.

AGRICULTURAL AND FORESTRY COMMITTEE.

MOTION.

Hon. Mr. BEIQUE moved:

That the rule regarding the number of members of the Standing Committee on Agriculture and Forestry, and rules 29 to 30 be suspended for the present, and that the names of the Honourable Messrs. Power, Forget, Douglas and Ross (Middleton), be added as members of the said committee and that the committee be authorized to meet while this honourable House is adjourned.

Three years ago, when the committee on Agriculture and Forestry was organized the first time, we undertook a very important work for the country at large. The committee invited experts on different agricultural farms, and in the different agricultural colleges of this country, to prepare papers on given subjects of agriculture, and to present them before the committee, with a view of printing those papers, and ultimately forming a work which could be consulted on all branches of agriculture. Valuable work was done during the first session, and I think some work during the subsequent session, but owing to the frequent adjournments of this honourable House, and the other works which occupied the House when sitting during the last two sessions, very little progress was made. It occurred to me that the committee could meet during the adjournment of the Senate and do good work. I inquired yesterday what honourable members of this House were likely to remain in Ottawa during the adjournment, and I desire, with the consent of the House, to move that the names of those gentlemen be added to the committee. It will enable the committee to have a quorum at all times. The chairman of the committee, the hon. gentleman from Russell, is residing in Ottawa. He can easily call the committee together, and I think it would be very important for that committee to proceed with the important work during the adjournment of the House.

VACANCIES IN THE STAFF OF THE SENATE.

Hon. Mr. POWER—I desire to make a formal motion with respect to the business of the House. It will be remembered that when His Honour the Speaker laid communications on the Table with respect to vacancies in the staff of the Senate, I gave the verbal notice that after the Committee on Internal Economy had been decided upon, I would make a motion with regard to the matter. I am not now going to move —unless it is the wish of the House—that the communications should be referred to the committee, but under Rule 24, it is provided that no notice is necessary for the purpose of dealing, at a future date, with any matter that affects the business of the House. I have the honour to move, seconded by Hon. Mr. Bostock:

That the communications of His Honour, the Speaker, with respect to the vacancies in the staff of the Senate, be taken into consideration at the next meeting of the House.

The motion was agreed to.

THE ADDRESS.

DEBATE CONCLUDED.

The Order of the Day being called:

Resuming the further consideration of His Royal Highness the Governor General's speech on the occasion of the opening of the third session of the twelfth Parliament, and the motion of Colonel the Hon. Mr. Mason, seconded by the Hon. Mr. Thorne, that an humble address be presented to His Royal Highness the Governor General in answer thereto.

Hon. Mr. MURPHY—I crave the indulgence of this House for a short time to make a few remarks on the Address, suggested to me by the different speakers who have preceded me. It is a subject of congratulation to this House that we have, in the addition to its members of the mover and seconder of the Address, such able accessions to this honourable body. The hon. gentleman from Toronto (Col. the Hon. Mr. Mason) has shown, in his wide grasp of affairs in discussing the paragraphs of the Address, that he fully understands the measures which will be submitted to us. This comes through his large experience in the financial world. Speaking for the Maritime provinces, and the seconder of the Address, I can say without fear of contradiction, that he is fully representative of the provinces by the sea, being one of our merchant princes, and captains of industry. Without wishing to offend partisan feeling, I believe that if appointments of this kind are made in the future, we will have no reason to declaim against want of intellect in this Chamber. Men of this character will be a credit to the Senate of Canada.

I take the opportunity of giving full endorsation to the remarks of hon. gentlemen who have gone before me, in expressing heartfelt pleasure, not only of the legislative chambers of Canada but of the people of Canada without regard to class, creed or nationality, at the improvement in the health of Her Royal Highness, the Duchess of Connaught. We can also assure His Royal Highness and he has had that assurance before this, that when during the trying times of last summer the Duchess was under the surgeon's knife every heart went out to him in feelings of filial regret at the position he occupied. We are doubly glad that he is able to come back to us and fill out, we hope, the full term, and possibly a second term in the position which he has so ably occupied. We revere him not only because of his kingly birth, but also for his kindly attributes of head and heart, which has ever characterized those who rule over this empire, with so much justice at the present time.

I listened with a great deal of attention to the hon. the leader of the Opposition—if we may refer to a member of this House as being in opposition. The hon. member from Middlesex is always ornate and eloquent, and his well turned periods are a treat to any one who is a student of the English language. The hon. gentleman has had vast and varied experience in legislative halls, and he is able to give expression to the feelings within him in a way that is well calculated to carry conviction, even though he may be sometimes inconsistent with himself, and his conclusions may be clouded in sophistry. The hon. gentleman has seen fit to go outside of the Address, and very far afield in discussing its paragraphs. He has seen fit to resurrect the corpses of last session—corpses that he made such by the action of his supporters in this hon. body. He could not see the splendid optimism that characterized this Address, an optimism fully justified by the condition of this country at a time of world-wide depression. He could not miss a chance to have a fling at the Government of the day. He must needs go back to the work of last session—the nefarious work I may call it of this hon. body—in the destruction of the Naval Bill and the emasculation of the Highways Bill to an extent that made it impossible of acceptance by its originators and by the House of Commons.

The hon. gentleman was somewhat inconsistent with himself, and I mean, for a moment, to give some attention to that aspect of the case. You will remember that he laboured seriously and laboured hard to prove to this hon. body the unconstitutionality of the Highways Bill. He based his argument of its being unconstitutional on the fact that roads and highways under the British North America Act are relegated to the authority of the provinces. Just for a moment think of the Bill that preceded the Highways Bill. I refer to the Agriculture Instruction Bill of 1913. You will admit that education is just as strongly and forcibly relegated to the authority of the provinces and given to the provinces by this same British North America Act. What do we find? The Agriculture Instruction Bill having a provision affecting education—the voting of money for instruction in veterinary medicine—came to this House, and we saw it go through this House with the approbation of the hon. gentleman from Middlesex, and the whole body of the Opposition on the other side, without a dissenting voice. I want to ask the hon. member from Middlesex—and I am sorry that he is not in his place to-day—but some of those who voted for him can probably answer for him, by what right had the hon. gentlemen on the opposite side, who voted for the Agriculture Bill, to vote against the Highways Bill? That is something I do not think it is possible for hon. gentlemen opposite to answer, with authority, logic, or reason. Both Bills

are on a par. The parity is so striking between them, that nobody can justify himself for voting in favour of the Agricultural Instruction Bill and voting against the Highways Bill. That is one of the inconsistencies I charge against the hon. gentleman from Middlesex, and against every member of the House who voted against the Highways Bill. The Highways Bill cannot be said to have passed without discussion. For several years it was a plank in the platform of the right hon. the Prime Minister. It was discussed on every platform during the last election, and the Highways Bill was justified by the return of the present Government with a large majority. This House claims to be the custodian of the rights of the people; it claims to be the safeguard of the people against improper legislation. I should like to ask the hon. gentleman if it is not one of the duties of the House of Commons to be responsible for the revenues of the country. Is the House of Commons under any circumstances, allowed to have a second party come in and take charge of the disbursements of the revenues of the country, to the exclusion of that House of Commons? I think you will all admit that it is a fundamental basis of our constitution that the House of Commons, and the House of Commons alone, is the safeguard of the funds of the Dominion of Canada, and that no other legislative body has any right to interfere with the expenditure. In the amendment to the Highways Bill—a Bill most popular in the country, and I can speak for the Maritime provinces—a Bill about which a large number of people criticise the Senate for having interfered with; in that Bill we endeavoured by the authority of this House to tell the House of Commons how the public money should be expended. Could any self-respecting House accept such an amendment?

Hon. Mr. POWER—We have done the same thing the year before with the Agricultural Bill. Last year the Government did this thing, which my hon. friend thinks impossible—they accepted our view.

Hon. Mr. MURPHY—That does not justify hon. gentlemen in acting unconstitutionally last year.

Hon. Mr. POWER—It does not justify the Government either.

Hon. Mr. MURPHY—When you allowed the Agricultural Instruction Bill to pass you were acting unconstitutionally, yet you say you were not acting unconstitutionally when you rejected the Highways Bill. The hon. members from the Maritime provinces, and the hon. gentleman from Halifax knows very well the popularity of that Highways Bill in the Maritime provinces. You know also that the House of Commons could not allow a body, an irresponsible body like this, to control the expenditure of the public revenue. He knows the fundamental basis of the British constitution is that the House of Commons is the custodian, the safeguard, and sole one to say the conditions under which money shall be expended.

The hon. gentleman from Middlesex resurrected the Naval Bill also. It looks to me, as has been remarked by somebody before me, that those two Bills are troubling the conscience of my hon. friend. I am not surprised at that. Hon. gentlemen opposite have a stake in this country and have an interest in this country just as well as hon. gentlemen on this side of the House. My hon. friends opposite are, I believe, just as loyal as ourselves, although they are misled. If hon. gentlemen opposite were not actuated—and I say it with all respect—by partisan motive, I verily believe that nine-tenths of this Chamber would have voted for that Naval Bill.

There is no doubt about it. The motives that actuated the hon. gentlemen on the other side are to be found in the other Chamber. The reason the Agriculture Bill went through, and the Highways Bill did not, is because in the other House the Highways Bill passed by a large majority, and the Agriculture Bill was defeated. Word was sent over to vote down the Highways Bill, and it was consequently voted down. When I was appointed to this body I was given to understand that we would act in a semi-judicial capacity; that we would be somewhat in the position of judges of the courts of the country; that we were supposed to divest ourselves of our political partisanship—that we were removed above the people, to sit in our place in this Chamber, and judge all Bills free from political bias. To my surprise when I was here a few months, I found the caucus as much at work in the precincts of this House as in the other Chamber. I saw political log rolling, which is supposed to be au fait in the House of Commons, just as prevalent here as in the other House. If a person comes here under the impression that we are to act in a semi-judicial capacity, the sooner that

person becomes undeceived, the better. I have seen evidence of political partisanship in this House, just as strong as in the House of Commons. When the leader of the Government was speaking the other day I found staid, sober and elderly gentlemen interrupting him from start to finish. The other side of this House was more like a bear garden, than a branch of Parliament.

Hon. Mr. POWER—Nonsense.

Hon. Mr. MURPHY—Hon. gentlemen know that my hon. friend did not speak more than three or four sentences at a time before being interrupted by the hon. gentleman from Prince Albert, and the senior member for Toronto. Every movement in this House savours of partisan bias. I am sorry to see this, because it is a bad example for the younger members who have come in here, and who are liable to be affected by the example.

An hon. MEMBER—The hon. gentleman has caught the infection already.

Hon. Mr. MURPHY—I may have caught the infection. It is contagious as well as infective.

Hon. Mr. BEIQUE—I understand that under the rules of this honourable House it is not permitted to make any insinuation against the motives of hon. gentlemen. I would like to raise the point of order, as to whether it is proper to persist, as was done in this House last session, and the present session, to attribute motives to a large majority of members of this House. I ask the ruling of the Chair, as to whether the hon. member is in order in accusing a large number of members in this House of being guided by political motives in rejecting a Bill.

Hon. Mr. CLORAN—And partisan bias.

Hon. Mr. YOUNG—And instructed to do it.

The SPEAKER—There is a well known principle that no imputation is to be made by any member of this House against any co-member in the same Chamber.

Hon. Mr. BEIQUE—That is not the point. I ask whether it is in order for any member of this House to accuse a majority of members of being actuated by unworthy motives and political bias in rejecting a Bill.

Hon. Mr. LOUGHEED — Before His Honour makes any pronouncement on that question, I should like to ask my hon. friend to define more clearly what his point of order is. I am not prepared to say it is an unworthy motive for any member to be actuated by the views of his political party, if that is what my hon. friend means. If we have reached that point when the presumption is, because we see a member belonging to a political party, that in following or adhering to the views of that party, he is doing something unworthy, it certainly is taking an advance position which I have never before heard taken in this Chamber.

Hon. Mr. De BOUCHERVILLE—Is it not the rule that every motion ought to be written, so that we may know exactly what has been said. Words spoken may be forgotten very soon. I think the hon. gentleman should put his motion in writing.

Hon. Mr. BEIQUE—I am raising a point of order. It is not so much because I object to the remarks which have been made, and not because these remarks are being repeated all the time, but because I think it is derogatory to the dignity of this House to be characterized all the time before the country as a partisan body. It is an unworthy reflection to be made on any member of this honourable House to say that he is actuated——

Hon. Mr. LOUGHEED—By what?

Hon. Mr. BEIQUE—By political bias against his better judgment, not to vote on Bills on their merits, but to vote for the purpose of serving his own party. That is the accusation, and in my humble opinion it is not in order to make accusations of that kind. It is the point on which I desire to have a ruling.

Hon. Mr. WATSON—I should like also to say that I think the hon. gentleman's remarks reflect on the dignity of the House, and on the dignity of His Honour the Speaker. Only a few moments ago the hon. member referred to the conduct of this House yesterday as a 'bear garden.' We have a record, we have a 'Hansard,' and I do not think it is well to advertise, Mr. Speaker, that you are not able to control this House and keep it within decent bounds, because the term bear garden as applied to the conduct of this House is not a fair characterization.

Hon. Mr. POWER—It is not deserved.

Hon. Mr. WATSON—I do not think the conduct of this House yesterday could be

characterized as a bear garden. I think my hon. friend (Hon. Mr. Lougheed) was quite agreeable to have the interruptions made; the questions were asked and answered.

The SPEAKER—I think it is rather late to bring this matter up in the discussion to-day, when the hon. member let it pass yesterday.

Hon. Mr. WATSON—No, that is not the point. The hon. gentleman has just made the statement that the conduct of this House represented a bear garden.

Hon. Mr. MURPHY—I made no such statement. I said the way the hon. gentlemen acted was more like a bear garden than the Senate of Canada.

The SPEAKER—I think my position is rather difficult. The hon. gentleman says I have no control over this House. That may be, but it is not my fault.

Hon. Mr. WATSON—I did not say that. I claim that you have been misrepresented by the hon. gentleman, that the House is not like a bear garden, and that he should not say that it was. Mr. Speaker, you had and have control of the House.

The SPEAKER—The hon. gentleman says that I have been misrepresented. How is that?

Hon. Mr. WATSON—By the statement that you have allowed the House to become a bear garden.

The SPEAKER—I think the best thing the hon. gentleman can do is to observe the rules of debate, and impute no motives. There are some things we cannot prevent hon. gentlemen from saying. Is it making an imputation to say members are partisan in this House? I cannot find any fault with that.

Hon. Mr. LOUGHEED—We are all guilty.

The SPEAKER—If it is a partisan House, I am the first to suffer by it.

Hon. Mr. MURPHY—I think it is hardly fair for old members of this House to take advantage of a novice in this manner, and interrupt him in the middle of his speech. It is very apt to throw one, even to the manor born, a little off his nerve. Under the circumstances I do not think the hon. gentlemen should take advantage of the privilege to interrupt me, and as I believe, just for interruption's sake.

The hon. gentlemen who voted against the Navy Bill took a serious responsibility. The hon. member from Middlesex thought fit the other day, with his new found zeal, to exclaim for a navy, to show that an emergency not only existed last year, but exists all the time, and further, that it was not the part of statesmen to wait until the thunder of the guns was at their doors, before building ships. That is precisely the position we took last year, when an emergency was shown to exist. The First Lord of the Admiralty in his memorandum, which is now an old story with the whole of us, set forth in detail why the conditions that existed were a peril to the empire. If they were a peril to the empire—and who should know better than the First Lord of the Admiralty—what was our first duty? Was it not to 'supplement with our ships the British navy, as speedily as possible,' to use the words of the resolution. How long would it take us to lay down docks, and to build ships in Canada. Hon gentlemen know full well that we could not turn out dreadnoughts inside of seven or eight years. Even then we would have to import three-quarters of the parts from the mother country. We have not a man, at the present time, able to drive a rivet. We have none of the mechanics or architects who know how to build ships. We have not one man who is able to superintend the building of a dreadnought. The only way is not to wait until the emergency is there, so that you could put your finger on it, but to have ships built as speedily as possible, and put them in the firing line where they will remain as a nucleus for a Canadian navy when the Prime Minister brings down his permanent policy. This he will do before two years are past. Do not worry. The permanent policy will be brought down. The Prime Minister will see that his pledge to the people of Canada is kept, and that our ships will be in the firing line, at the time they will be required, notwithstanding the misguided action of this honourable House. A self-respecting colony as we are, a colony which has attained the dimensions in the world's trade which Canada has—having between one-sixth and one-seventh of the whole of the marine carrying trade of the world—a colony that is willing to hang by the apron strings of the mother country, that is willing to put a tax on the overtaxed artisan and labourer of England, is certainly not doing its duty to the empire. Hon. gentlemen who vote for a policy such as that are not exponents of the best views of the majority

of the people of the country. The resurrection of the navy question by the hon. gentleman from Middlesex, was, I believe, ill-advised. If I were in his position I would feel like covering up, like scratching up the dust and hiding my head in the sand, so that I could not look at the face of the Canadian people.

The hon. gentleman from Prince Albert enunciated a new policy. I must admit that when questioned by the hon. gentleman from Antigonish, he said he was not responsible. He admitted he did not speak for his leader—in fact he said he had no leader. But I would like to ask the hon. gentleman, and ask this House, if the Liberal party to-day is pursuing the same course it did before 1896, one man expounding one policy in the Maritime provinces, another man advocating another policy in Quebec, and a third policy being advocated in Ontario—and the breezy westerner saying what he likes. The hon. gentleman said yesterday: 'give us free trade.' Cut the duty off foods, woollens, calicoes, boots, shoes, binders and what not. Then what would be left? Is it the policy of the Liberal party to pull up the national policy by the roots, that policy which they nurtured and cared for, for 15 years? Is it their policy to have absolute free trade in this country? If so we want to know it. We do not want a man to stand up in his place as the exponent of that policy in this Chamber, and when he is taken to book for it, to say that he is a free man, that he can only speak for himself, that he has no leader. The hon. member from Prince Albert can go on the platform and make a speech in a demagogic spirit, but he should be held responsible for his utterances—and the gentleman on whose shoulders lies the responsibility for the appointment of the hon. gentleman from Prince Albert should be held responsible for him—when he expounds such a policy. Free food is a very good catch cry, but why did not the leader of the Opposition have confidence in the free food proposition by embodying it in a motion, instead of making this colourless motion before the House of Commons? Why did he not state manfully, why did he not state unequivocally just what he meant by moving it as an amendment? Listen to the motion which he made. The right hon. leader made the following motion:

> We regret to represent to Your Royal Highness that in the gracious speech with which you have met Parliament, while it is admitted that business is in a depressed condition, yet there is no indication on the part of your advisers of determination to take any steps towards relieving such situation.

Business is in a depressed condition. We all admit that it is in a depressed condition, the world over. But is parliamentary interference, or interference with the tariff, or the trade of the country, going to cure the depression? Is there any country in the world that has stood the depression as well as Canada? Is there any country which has shown a pro rata increase in trade, such as Canada has? I think the answer must be emphatically no. And it would be very bad policy to alter trade conditions at the present time, when everything is in such an unsettled state. There is another thing I have to find fault with my hon. friends opposite, and I have to find fault, here, with many others also. I speak of the practice of preaching blue ruin, and destroying the credit of the country. I sat in the gallery of the House of Commons last year, and heard one member of the Opposition gloat over an exaggerated statement of the number of people out of employment in this country at the present time. I want hon. members in this House, and gentlemen in the other House, to refer back to 1907-8, when conditions, according to the Minister of Labour at that time in the trade reviews, were just about as they are now. I want to ask the hon. gentlemen in all sincerity, did they hear a gentleman in the Conservative opposition of that day preaching blue ruin, and advertising the country as they see it advertised to-day, by members on the opposite side of the House. I think I can state, without fear of contradiction, that there was not a word said then. Instead of advertising that our country was in a depressed state, our men stood side by side, and did not advertise the fact that people were out of employment, and that we were running behind. The Trade Review showed the conditions then were worse than they are now. The Government of the day had faith in the recuperative powers of the country. The Opposition had faith as well, and the Opposition—far from advertising the fact, and endeavouring to make political capital out of it—hushed the thing up. As patriotic citizens, the Opposition waited until the revival of trade conditions put us in the vanguard again. In the face of the so-called hard times, if there is one item of the many things promised by the Government of Canada, for which they should be canonized, it is the Agricultural Instruc-

tion Bill. We have a revival of interest in farming, we have the best of our citizens, young men and women, going up to Guelph to the agricultural colleges, taking an interest in scientific farming, and harkening to the cry of 'back to the land,' from which we may expect increased production and a relief from this high food cry. It is the only relief there can possibly be.

The Government is going further; it is giving rural mail delivery, and bringing men on the outskirts of civilization within reach of the newspapers, and of everyday life. They are giving us parcel post. That will bring the producer close to the consumer, cutting out the middleman, thereby reducing prices to the extent of the middleman's profit. Hon. gentlemen are well aware of this condition of affairs. The hon. gentleman from Prince Albert preaches blue ruin; coming from a place where there were many million bushels of wheat produced last year, he preaches the fact that the farmers are going behind. With reference to that statement, you heard the excerpt from the statement of the hon. leader of the Government in Alberta, and the hon. leade- of the Government in Saskatchewan. The hon. gentleman from Prince Albert said the Government had done nothing for the West. What about the terminal elevator at Port Arthur, which cost a million and a quarter? What about the elevator at Moosejaw which will cost just as much? What about the elevator at Saskatoon? What about the Hudson Bay railway, over which the Liberal party fooled for fifteen years, and had not even made a start when they went out of power?

Hon. Mr. WATSON—The contract was let, and it is being built on the same contract to-day.

Hon. Mr. MURPHY—Yes, on the eve of an election. They were not in power to see the contract fulfilled. It is only when the contract was taken over by the present Government that the work was commenced. A great deal has been said about the terminals at Port Nelson. It has been stated that schooners cannot get within fifteen miles of the port. That may or may not be true. I do not think the hon. gentleman from Halifax would like to vouch for that. He is not in a position to make that statement. I submit it is more reasonable to come to the conclusion that a man of the rugged honesty of purpose—whatever else may be said of him—of Frank Cochrane, Minister of Railways, backed by his engineers, would not build railway terminals at a place where vessels could not get within fifteen miles. I submit that it is unreasonable to believe anything else but that the port may easily be made available for the terminal of that railway. That is one of the things he has done for the West. It is a port which will be opened for four months of the year—I speak advisedly, because I have it from the lips of men who have been there—that they can take grain and land it in England at a cost away below the present rates. I understand that Hudson bay is teeming with fish, that Newfoundland vessels can go in there and load in two or three days. Think of the industries that can be worked up there, when a schooner can load up and come to the terminal at Port Nelson, and ship the fish to the Northwest, where you can hardly get a decent fish to-day. I think in the consideration of these questions nothing but harmony should prevail, unless we travel outside, and put up a straw man to knock him down.

One paragraph of the Address reads as follows:

> **As a result of the recent decennial census the representation of the different provinces must be adjusted, as required by the British North America Act and a Bill will be introduced for that purpose.**

That is something over which there should be no quarrel. We should be fair in this matter, and speaking for the Liberal-Conservative party, or for myself specially, I think it will be fair. I look for an honest, fair redistribution in so far as it can be done. Of course we all know it is a difficult matter, for there is so much bound up in the representation of Canada at the present time that there is a heavy burden resting on the shoulders of those responsible. As you are aware the Maritime provinces stand to lose a large portion of their representation. In the beginning we had forty members in a House, I think, of 186. If we are redistributed on the lines of the British North America Act and held to the letter of the Act, we will have thirty members in the House of 234, or instead of a quarter of what the Maritime provinces had in the beginning, we will have only an eighth in the new redistribution.

Now I contend that it never was the intention of the framers of the British North America Act that the representation of any province in Canada should fall below its original strength. At that time there was no thought of any reduction, at least in the representation of the four original provinces of Confederation. They were all such

optimists that they looked forward to increases of population, but never to any reduction. They could not contemplate or foresee the remarkable growth of the West or even of the province of Quebec. Montreal, in the near future, will have a population as large as that which Quebec province has to-day. We are equal partners with the larger provinces, in the land which has been handed over to them. We were equal partners in the lands in the Northwest Territories purchased with the money of Canada, and given to the provinces of Manitoba, Saskatchewan and Alberta.

Hon. Mr. WATSON—The lands are not handed over to Saskatchewan, Manitoba and Alberta.

Hon. Mr. MURPHY—For the purposes of representation they belong to those provinces. They will get their representation increased, if settlers go on those lands and settle there. We have no quarrel with that; we are willing to-day, as we were willing in the past, to pay our share for the purchase of the Northwest, and to build the Canadian Pacific railway in order to give the western territories the means of communication which made them what they are to-day. We are proud of having helped make the Northwest by our money, our blood, and our brawn. At the same time the handing over of those lands to the larger provinces destroys the unit on which our representation is based. A province whose area has been increased beyond what it was when Confederation took place, destroys the original unit of representation. Prince Edward Island was not in a position to get any of those lands, none of the lands being contiguous to us. We were necessarily circumscribed, and must always be circumscribed. I contend, in view of the disturbance caused by the handing over of those lands to the provinces west of us, that the original representation fixed at Confederation, should be continued to the Maritime provinces.

But Prince Edward Island has a special claim of its own. In 1864 the first conference was held in Charlottetown, the capital of Prince Edward Island—and I may here notify hon. gentlemen that the semi-centennial of the holding of that conference is to be celebrated this year in Charlottetown. On that occasion I hope to see as many of the members of this House present as can possibly attend. At that conference in 1864 our people absolutely refused to enter the Union unless they were allowed six members in the House of Commons. They said, unless we have an irreducible minimum we must necessarily be swallowed up by the larger provinces. Then the conference met at Quebec, the same year. When the resolutions of Union were adopted, the representatives of Prince Edward Island refused to enter the Union unless six representatives were conceded. I will read the following extracts from the speeches of the Island delegates at that conference to show, definitely, their reasons for standing out.

Mr. Haviland:

Prince Edward Island would rather be out of the Confederation than consent to this motion. We would have no status, only five members out of one hundred and ninety-four would give the island no position.

Mr. Palmer:

Representation by population is not applicable when a certain number of provinces are throwing up their self-government and individuality. When a Colony surrenders that right she would have something commensurate in the Confederation. Why give up so great certainties where we have only a feeble voice? I never understood that any proposition at Charlottetown was to be binding as to representation by population.

Colonel Grey:

I am instructed by my co-delegate to say that the provision of five members is unsatisfactory.

It was stated in the other House, and I can make the statement here, that one of the reasons why Newfoundland has refused to enter Confederation, is the treatment that Prince Edward Island has received both in representation, and in failure to fulfil the terms of Confederation.

The following extracts from speeches delivered in the Legislature of Prince Edward Island in 1865 represent the attitude of both political parties in the province at that time:

The Honourable J. C. Pope, Prime Minister, afterwards Minister of Marine, said:

If the relative circumstances of Canada and this island rendered a Union practicable, the evident injustice of the terms [illegible] the Quebec Conference would prevent their being ratified by the Legislature of this island. Without admitting the principle of representation according to population under all circumstances to be sound, it is, in the opinion of this House, particularly objectionable as applied to this island in connection with Canada, taking into consideration that the number of our inhabitants is and must continue comparatively small, owing to the fact that we have no Crown lands, mines, minerals, or other resources sufficient to induce immigrants to settle here, and that we never can expect to become to any extent a manufacturing people in consequence of our navigation being closed for nearly half the year, and all trade and communication with other countries stopped.

And later, in the same debate, Mr. Pope is reported thus:

Among these objections I may mention the principle of representation by population. A very simple calculation will show that the adoption of this as a standard would entitle the city of London to send to the British House of Commons no less than seventy representatives, and the city of Montreal in the Confederate Parliament would have a representation greater than that of this island. Its statistics warrant the belief that in a few years the population will be so increased by the influx of the tide of immigration that the island would lose in the halls of legislation even the small voice which she might raise at her entrance into the Union.

Honourable Mr. Hensley:

The terms of the report before us are, in my opinion, very unfavourable to this island. On the scale of representation proposed, we would be without the slighest influence in the United Parliament. It is true that, if we went into the proposed Union, we would have no right to expect as large a number of representatives as either of the lower provinces, but then why would we throw away the independence which we now enjoy?

Mr. Howlan, who was subsequently a member of this House, said:

Representation by population might be very well for Canada herself, but in a general Union of the Colonies, it would operate injuriously for the Maritime provinces as they could not expect to protect their interests when they would have to contend with one hundred of a clear majority over their own representation. This principle would give the city of Montreal with its one hundred thousand inhabitants one representative more than this island. Quite different is the representation of Great Britain, for while London has about the same population as Scotland, that city has only sixteen members in the House of Commons, while Scotland has fifty-three. But it may be argued that as our population increases our representation will increase. This is very doubtful. Indeed, under the operation of the 20th and 21st clauses of the report it seems probable that we might lose our representation altogether. Lower Canada is always to have sixty-five members, and the representation of the other colonies is to be arranged every ten years so as to give each the same ratio to population as she will then possess. Now should the population of lower Canada increase more rapidly than that of this island, which is almost certain to be the case, our representation would decrease, and we would be left perhaps without a member at all.

Mr. Duncan:

As to the General Legislature I consider the representation in it allowed to this island unfair and unjust. The five representatives allotted to us in the lower House would not give the colony much influence there; but as our population will not increase so rapidly as that of Canada, there is a prospect, through the operation of one clause in the report, that our five representatives would dwindle down to three. Taking all these points into consideration, therefore, it is clear to me that we have nothing to gain and much to lose by adopting the Quebec scheme. (Debates Prince Edward Island Legislature, 1865, p. 65, et seq.)

The above extracts represent the attitude of both political parties in the province at that time.

That is what stares us in the face now. When the Conference met in Quebec, the delegates from Prince Edward Island met the delegates from Canada, with the result that I have mentioned. The Canadian Government continued to be desirous of rounding off Confederation with the addition of Prince Edward Island, but no definite progress was made until the year 1873, when the Government at last conceded six members, as the following correspondence shows:

Telegram from Robert P. Haythorne to Lieutenant-Governor Robinson, dated February 26th, 1873:

Held two conferences. Increase of annual allowance. Probable yield six representatives.

Telegram from Robert P. Haythorne to Lieutenant-Governor Robinson, March 6th, 1873:

Highly probable get six representatives; try and send reply council as soon as possible.

Telegram from Lieutenant-Governor Robinson to Robert P. Haythorne:

Council will concur in advising dissolution. We hope six representatives will be conceded.

Telegram to the Hon. Edward Palmer from Robt. P. Haythorne, March 6th, 1873:

Except modifications stated and interest difference old debt, better terms allowed. Six members conceded.

Hon. gentlemen will see from this correspondence that it was evidently the intention of both parties to this contract, that Prince Edward Island should have an irreducible minimum of six members. We stood out from 1867 to 1873 on account of it, and, as you will see by the telegram of the Prime Minister to the governor of the province, we got the six. Unfortunately by some oversight or mistake, in writing out the memorandum embodying the terms, the document did not in clear and unequivocable language provide for the irreducible representation agreed upon. The word 'readjusted' was used instead of 'increased,' and that unfortunate word has put us in the position of being reduced from six to three representatives in the House of Commons. No one would like to see the autonomy of a province of the Dominion reduced to that extent, especially when it is due to an error that is admitted by both parties to the contract. We have no status in law: the writ-

ten contract is there. The matter was before the Privy Council and we are obliged to submit to its decision, but the highest authority of the country, which made the mistake, should be in a position to correct it. I verily believe that there is not a member of this House, or of the House of Commons, that would not like to see Prince Edward Island given the six members which was promised at Confederation. There is another point, and that is this—that one of the terms of Confederation was that we should have continuous steam communication, winter and summer, with the mainland, and so link us with the railway system of Canada. I am sorry to say that this condition of the contract has never been fulfilled up to the present day. It is only now that an honest effort is being made to live up to the contract. Think of what that has meant to us in the forty years that we have been in the Union. How could we expect to keep our population, or to establish industries, without having continuous communication between the island and the mainland? How could we expect a normal development? How could we hope to keep up with the rapid strides being made by the other provinces of the Dominion? The Federal Government defaulted in their part of the contract, in a way that has caused us loss of population; it could not be otherwise. And now they turn around and want to penalize us because of their own default. Would that be just dealing as between man and man, not to speak of dealing between a great Dominion like this, and one of its weaker provinces? I think every one will admit the justice of giving proper representation to Prince Edward Island, and restoring its contemplated irreducible minimum. Then, when that is done, we will be able to take our place beside the best of the provinces, and you will have a contented people as one of the links of this Confederation, and an autonomous province which, now, is threatened with destruction. You will cease to hear the cry of distress which has been raised ever since we entered Confederation, both in the House of Commons and in this Chamber.

Hon. Mr. THOMPSON—I am quite sure the sympathy of the House will be extended to Prince Edward Island. The hon. gentleman has recited to us the position in which the island is placed. He certainly will not charge the Opposition with being responsible for that condition. I am not quite sure that the admission of Prince Edward Island into Confederation has changed its geographical position; nor am I sure that when it gets its car ferry, and easier access to the mainland, he can keep people on the island. I know that the province is in a prosperous condition, but the sympathy of the House must go out to Prince Edward Island, after the manner in which its grievance has been placed before the Senate. I should like to say to the hon. gentleman that, if the representatives of the island at the Conference had acted somewhat in the same manner that the Senate had acted in dealing with the Highways Bill; if when they had this matter under consideration they had written into the Bill the rights of the people instead of being content with the understanding; if they had insisted that within the four corners of the contract, the understanding should be clearly stated, then the island would not have to encounter the difficulty which he has described.

I have not taken any part in the debate on the Address, and now I find that everybody is anxious to get away. I deprecate personally the unseemly desire of many hon. members to leave the capital almost as soon as they get here. Their desire is to be away from their duties, and yet, always to get their indemnity. If anything lessens the dignity of the Senate in the eyes of the people, it is because a seat in the Senate is regarded as practically a sinecure. There seems to be a desire to stay in Ottawa the shortest possible time, and then go off and attend to private business, and get the benefit of what we are entitled to as senators. In one respect it may be all right—when there is no business to be done—but people make their own comments when they learn that we come here and stay two or three days, and then take a long vacation. In that way we are doing much more harm to the reputation of the Senate than by the rejecting of Bills which originate in the lower House.

I have been charged here by no less important a member of the Senate than the leader of the House, with having done things as a member of the Senate which I absolutely deny. I want to put myself right before the Senate, and the country, in regard to the position I have taken on matters which have been brought to the attention of the House, and of which I stand accused.

In the first place I should compliment the mover and the seconder of the Address on the speeches they have delivered. I am quite in accord with all that has been said

in relation to the illness of Her Royal Highness the Duchess of Connaught, and without dwelling further upon that matter, I may say that the loyalty of this country to the Crown of England and the uplifting of the empire is as great and we are as close to that interest, as is Buckingham Palace itself.

The Address as a whole contains little of importance. It is a kind of political kindergarten menu. While we are supposed to be debating the Address many matters extraneous to the Address have been discussed. The last speaker disliked to have his graveyard disturbed. He hated to have the corpses the Government failed to bury, the Emergency and the Highways Bills, exposed to view. He felt it was not proper that we should go into his cemetery and bring them here. There was in the Address a reference to tariff conditions and the existing depression, but not to any large extent. My hon. friends said that it would be wrong to 'unsettle unsettled conditions.' Whether it is wrong to disturb unsettled conditions or not, I am at a loss to understand the leader of the House when he says that if you reduce the tariff you cannot lessen the high cost of living. He referred to the experience of the United States since the tariff has been removed from imports of natural products, and told us that although they were buying cattle in Canada and the Argentine, the price of beef had gone up. But if they had not got the cattle from those countries, the question is how high would the price of beef have gone. Does the hon. gentleman imagine that prices have increased as the supply increased? Does he suppose that the law of supply and demand does not operate in such matters?

Reference has been made to the mandate given to the Government in the last election. I do not believe that a similar mandate would be given to-day if an appeal were made to the people. What was the cry of the Conservative party in 1911? It was to let well enough alone. After fifteen years of prosperity in this country they raised that cry and led the people to believe that they were well off under existing conditions, and that they should not make a change. Would they be told to-day to leave well enough alone? Times have changed since the last election. There would be a different condition of affairs in Canada today if reciprocity had been given to the people. New Brunswick supported reciprocity, and in Nova Scotia they voted for reciprocity. The Conservative party got no mandate from the people of those provinces in that respect. I claim that if the conditions which exist to-day had prevailed then, there would have been a very different mandate given by the people of all Canada.

Another matter which was brought up was in respect to our National Transcontinental railway. We are asked to believe that there has been no disposition on the part of the present Government to change the character of that road. They tell us that the velocity grades on the road will not harm it. I am not willing to accept that view until we learn by experience that velocity grades will not damage the railways. These same engineers put velocity grades into railways in our part of the country that ran the cost of construction to over three times the amount of the estimates placed before Parliament. These same engineers said it would cost only a small amount to run the lines through the centre of the province, and it turns out that it is costing three times as much as they estimated. I am unwilling, therefore, to accept the opinions of the engineers in respect to this road until we have had some experience of how the change will work out.

I want to bring to the notice of the House the question of the Highways Bill, which was said to be rejected by the Senate on two occasions.

Some hon. GENTLEMEN—Amended.

Hon. Mr. THOMPSON—Amended. Amended on two occasions.

Hon. Mr. LOUGHEED—The hon. gentleman was right in the first instance.

Hon. Mr. THOMPSON—No, because I am going to explain why the action of the Senate was not a rejection of the Bill. We were told in the first place that we ought to accept the promises made by the Government because they were given in all sincerity. When the Bill came before this House it contained no clause recognizing the rights of the different provinces throughout the Dominion. It was thought best by hon. gentlemen on this side of the House—not because they were Liberals, but because it is the duty of the Senate to stand for the people regardless of party—to see that the Bill was amended to carry out the understanding of the Government as stated in the House of Commons. The Senate stands here between the servant and the master and its duty is to exercise some judgment as to the character of the mandate that the

Government of this country may receive from the people. The Senate stands between the people and the Government and interprets the mandate that the people give the Government in respect to the administration of public affairs. When that measure came to this House it was felt that there was no one thing which more closely affected the producers in this country than the roads, and when the Prime Minister announced that these moneys were to be divided between all the provinces in the Union, we all believed that the promise would be carried out by the Government. We found no fault with the aid given for the improvement of highways. The Minister of Railways who introduced the Bill in the House of Commons confirmed the statement made by the Premier and we all thought that we could accept the minister's word, but we felt it necessary to insert that promise in the Bill so that whoever might be in the Government of Canada these moneys would be divided among the provinces according to the population. I presume we have all read the Solicitor General's speech delivered in the other Chamber two or three days ago in respect to this Highways Bill. He made a close argument as to its constitutionality, and he said, 'I reject the amendment to clause 4 because it disables the Government from spending that money by any other rule than the hard and fast rule of expenditure in proportion to population.' Now that is just what we desired to have in that Bill and that is what the Prime Minister and the Minister of Railways said was the intention of the Government—to divide the appropriation among the provinces according to population. Yet we are told this year that the Bill was left in that form so that this Government would not be bound to divide the money according to population, but according to their own sweet will. Therefore, I think the Senate was acting in the interest of the people of Canada and I am perfectly willing to abide by the judgment of the people on the subject. The other night the leader of this House made an eloquent speech on that question. He travelled the by-roads and described their condition. He spoke of the mud holes and the difficulty the farmers had in getting their produce to market. Was that the way he spoke when he presented that Bill? Did he tell the House that the object of the Bill was to help the farmer by improving the by-roads in order that they might reach market more readily? Let me read what the hon. gentleman said to the Senate last year:

If they will observe the language of the preamble of the Bill, they will find that this is not a local undertaking. This has not for its object the improvement of roads in any particular municipality or group of municipalities. It is not intended for a moment that the assistance should be given to the ordinary highway in a local sense.

Now what does that say? Is there any reference to the farmer's cart sticking in mud holes on the highways? Is there any reference to the ordinary farmer going to market with potatoes and eggs and other produce in that language that I have quoted? The intention then was that we should build a great national highway from the Atlantic to the Pacific, such a road as would be used by people with automobiles and not by the farmer who wished to get to the market. I go further and say that it was not the intention, in my judgment to aid the provinces to meet their local needs, and in confirmation of that I will read further what the hon. gentleman says:

I maintain that while highways in their local sense are peculiarly provincial undertakings, that this is more than a provincial undertaking. This is a interprovincial and national undertaking and does not come within the class of cases referred to by my hon. friends.

Is there anything plainer than that, and yet the hon. leader of the House accused the Senate of being partisan and told us that the Senate has deprived the farmers of an opportunity to have their roads improved. It was not the intention of this Government that the people in the provinces should have the opportunity of spending the money appropriated. I do not hesitate to say that there was a nigger in the wood pile and the leader of the House has already opened up the cracks in the fence showing the nigger in the wood pile which led the Government to introduce this Bill.

They left it in the hands of these apostles of purity who know all about underground construction, and are able to make it more effective than ordinary campaign literature. When we come to the Bill, as it was brought to our notice this year by my hon. friend, he did not tell us about the national highway, or anything about these great roads from the Atlantic to the Pacific, but he said:—

This Bill was conceived with the idea of assisting the rural communities of Canada.

Last year it was not the rural communities. Now, however, he has no Bill at all.

It is in the graveyard. They have hidden it away. They had it to use in the country, to tell the people what they proposed to do. Last year it was not for the rural districts of Canada; this year my hon. friend accuses us of rejecting the Bill, and tells us that the Bill which he said was not for rural districts of Canada last year—

Hon. Mr. LOUGHEED—I did not say that.

Hon. Mr. THOMPSON—The hon. gentleman said:

It is not intended for a moment that assistance should be given to the ordinary highway.

The ordinary highway to a man in our country is the ordinary highway you get to any part or place in the district throughout the province. That is just what the Bill was not designed to assist last year. This year they have run away from the Bill, and my hon. friend has a wonderful desire to serve the interests of the poor farmer whose cart is in the mud. He goes further and he says:

When a farmer is transporting his product to the market and he finds himself sunk in the mud to the hubs of the wheel.

What about the constitutional question raised by the leader of the Opposition in the House. The constitutional question does not trouble the leader of the Government. It troubled the Solicitor General in the other House when he said we had no right to touch the Bill at all. But my hon. friend says: 'Who can say anything to us on constitutional matters? How can they get at the Senate and Parliament? Why, through the Supreme Court. How can they get to the Supreme Court? They could not get there unless we let them.' Again he says: 'In an Act to vote a sum, which the Government voted out of their own generosity, should not the Government exercise some supervision over the money?'

Does that not show the Bill was for political purposes. It was not for the farmer. He says: 'Would you expect the Government to hand over money that was to go to the people of this country, by the Government generosity.' You would have thought they were putting their hands in their pockets, you would have imagined that, out of the salary the Government had, they were dealing out a lot of money and saying: 'Here we give you our money.' Where did this money come from? From the masters to the servant. That is all it is. My hon. friend says: 'Did you expect this Government to hand this money over to the Government that might not be in sympathy with the Conservative party of Canada, and might use it to the party's detriment?' I think the Senate amendments to that Bill were simply looking after the interests of the people. I feel that this Senate has a duty to perform, and I differ with hon. gentlemen on the other side of the House, who seem to think that the business cannot be carried on unless the Senate becomes the donkey engine of the other House. The people of the country have a right to expect this Senate to assume certain responsibilities for the people of Canada, because we are responsible to the people. A referendum to the people would settle the question whether this Government was right or wrong. If the Government were anxious to settle the question, they have an opportunity of testing the feeling of the country. They could find out, in that way, whether the Senate was acting properly or not. The Solicitor General says the Agricultural Bill had a gold brick in it. We accepted that. We passed one Bill last year, and threw out the other, and he says the two Bills were exactly alike. The Agricultural Bill had a clause in it which permitted the Government to use the money without regard to the different provinces, and we did not touch it. If there was a gold brick in that, we did not see it. We were as alert in regard to this Bill, and asked them to insert a similar clause in the measure to make it right. We were willing to accept what the Prime Minister and the Minister of Railways said, but we wanted the names of other parties in it. I think our position in respect to the Bill is defensible, and I have no apology to make to the country or to the House for my connection with the matter.

The other question brought up was that of the emergency. We heard a good deal from some hon. members about the mandate. We had it from the hon. leader of the Government that the people had given a mandate for the passing of the Contribution Bill. The matter was not mentioned in New Brunswick; but let us inquire what kind of mandate they had to pass the Bill? In the elections of 1911 they started out for a mandate, and they say that in some part of Ontario this question of a contribution was discussed by the Prime Minister. If it was so, the discussion did not reach our province. It was never referred to on any election platform, or on the hustings in New Brunswick, as far

as I can learn. The question of the naval contribution never came up. The hon. gentleman went to British Columbia. What mandate did he get there? A white man's country—that is the cry that moved British Columbia. It was talked of from the Pacific coast to Sydney, that what British Columbia wanted was to be a white man's country. Every Oriental and Japanese was going to be put into Puget Sound if Borden were elected. What have they done in respect to that? All they have done is to refuse the right of a British subject to come into British Columbia. The Japanese are there. There was no mandate in British Columbia for any contribution. Get down to the next two provinces, and do you see any cupidity in the western people? If you promise them their natural resources, their land, would it help out in obtaining a mandate in that respect? The Government got no mandate from Alberta nor Saskatchewan. They got a mandate from Manitoba. Manitoba gives a peculiar kind of mandate, and they got one there. Then in Ontario the question of contribution and the navy was not made an issue among the apostles of purity, but it was the French Premier, the Ne Temere decree, and the Eucharistic Congress.

Hon. Mr. WATSON—And contribution too.

Hon. Mr. THOMPSON—People were told in Ontario 'give us Borden, and we will give you a marriage law that will protect your homes.' We heard it away down in our country. 'We will protect your children and we will protect you from priests, popes, principalities, powers, man, angels, or the devil. Did they do it? There was no mandate from them on the labour question. Coming down to Quebec, they got a mandate there. They joined in with men who are in favour of pulling the flag down, and that combination to-day is the party who comes to this House in the matter of an emergency contribution.

What about the question of emergency? My hon. friend said it was an appeal from the British people to the Canadians for help. I deny that absolutely. How did the question of contribution get here? The Prime Minister and the Postmaster General started for England with a grip, and a little emergency in it, and like Saul of Tarsus they said, 'Tell us how we can be saved?' They went to the Admiralty and said, 'What must we do to be saved,' and the Admiralty said: 'Give us contributions, if you are in such a rush, give us a money contribution for three ships.' What did the Prime Minister say in Montreal? The Prime Minister had stated in Parliament that before enacting his permanent policy, he would go to the country for sanction, and he also said if his emergency contribution was refused by Parliament he would go to the people with it. That statement has been denied. I say that in public, in Montreal, the Prime Minister said that the proposals he would lay before Parliament, he would be unable to give details. But if he laid them before Parliament, and Parliament refused to grant them, he would refer it to the people. What did we refuse? Did we refuse to grant him anything? There was not a single word in the Senate expressing any opinion against the contribution, but there was a desire on the part of this Senate in the exercising of their duty, to say to the Government of Canada: 'You have said you are willing to have the voice of the people, and we desire to have the people consulted on this question.' This year we have got no contribution. The Government is not only afraid of the Senate, but they are afraid of the people of Canada, and the whole matter is now in cold storage. If hon. gentlemen read the Premier's speech they will see he expresses no opinion. Probably this great propaganda of peace, which is overshadowing everything, may lead to a revision of the contribution. They may not require any of it. However, if the people want to give a contribution, you will find no more obedient servant than the Senate of Canada. We are quite willing when the people themselves express an opinion on the subject, to obey their mandate. I think that little emergency just wants to be snuffed out. There never was an emergency, and there is not one at present. My hon. friend says, 'Why not get ready for an emergency?' We will be ready for an emergency. Canada has always been ready. My hon. friend referred to the fact that the nations of the world would know, when we refused to sanction that Bill, that we refused to help England. Let him think back. Let the mothers whose boys did not come back to Canada decide whether we helped England in the time of stress. Ask the men who went and fought for the old flag, and came back mostly in the steerage, whether Canada is not willing to stand up for the interests of the old flag and the in-

terests of the mother land. I think it is time the emergency was snuffed out, I think it would be proper to kill it. I read a story in a newspaper about a man who had trouble with his liver; he went to Florida and discovered a wonderful spring, with marvellous healing properties. The man took the water and grew strong and healthy. He built an hotel, and invited people there, to show them the wonderful healing properties of the water. When the man died, his liver was so healthy that they had to take it out, and kill it with a club. You would not have to kill this emergency with a club. Some reference was made to the attitude of the Premier in respect to the South African war, as though it required the whole effort of the Conservative party to induce the Liberal Government to move in the interests of Canada. I have on my desk a work published, 'Canada's Sons on the Copje and the Veldt.' In July, 1899, Sir Wilfrid Laurier moved a resolution of sympathy with the Uitlanders in South Africa, seconded by Mr. Foster. The South African ultimatum was issued on the 9th, and they expected the declaration of war on the 11th or 12th. War was declared on the 12th, and on the 13th the offer of one thousand troops was sent to England by Sir Wilfrid Laurier. On the 30th day of that month, one day before the Admiralty asked that the shipment should be made, or in about two weeks from the declaration of war, a thousand men were embarked on a steamer from Quebec. Sir Wilfrid took action in the matter without waiting for Parliament to meet. If I wanted to find partisans in this Chamber, I would not look on this side of the House. Who was it criticised the Branch Lines Bill, and the proposed amendments? It was the independent judgment of the House, Conservatives and Liberals. I am not against the Conservative Government nor for them; I am not against the Liberals nor for them, but to the best of my judgment, in so far as I am able to determine the interests of the people of Canada, I am willing to stand up for them. I deprecate the political atmosphere of this country in a sense. What do we know about the political vortex of this country to-day? I say the most hellish conspiracies are hatched to do harm to a man's private character, from some source, it may be Liberal, or it may be Conservative, but our newspapers are teeming to-day with matters that concern the people of this country, without regard to men's standing. There is a hellish conspiracy in this country, from some source, to do an injury to a man's reputation, or to men's reputations. I have no brief for these men, and do not know them, but the man who originated that, in my judgment, is further down than the men he was able under those influences to affect. But we are out of that vortex. While I think we should be out of it, and should not be influenced by party, I admit we cannot entirely divest ourselves of conditions that exist on the outside, and, perhaps, at times may give some evidence, even on the floor of this House, but I think, in a general sense, the Senate is to be credited with an independent action, and an endeavour to treat all questions in the interests of the country.

Hon. Mr. THOMPSON.

Hon. Mr. CLORAN—As far as my experience goes, as a reader of Parliamentary history I always found that the most powerful instrument of any party in parliamentary affairs in Great Britain was the Speech from the Throne. That has always been, and is still in Great Britain, the instrument whereby the party in power makes known its policy to Parliament, and to the people of the empire. Measures which any party in England want to have passed are foreshadowed in the Speech from the Throne. Their policy is plainly indicated in the Speech from the Throne. The House and the electorate of the nation are taken into the confidence of the Government. What do we find in the Speech from the Throne on the present occasion? We find that the Government of the day, led by the Right Hon. Mr. Borden, has no confidence in Parliament, and no respect for the people at large. The Speech from the Throne, as given by His Royal Highness the Duke of Connaught is as empty as a broken egg, and not a very newly laid one at that. The Speech from the Throne indicates no policy whatever, which would direct and govern the destinies of this country. It cannot be called a policy to say that a Redistribution Bill shall be brought down. That is a constitutional necessity which the present Government has neglected for the past two years. It is imposed upon the Government by the constitution and the Government of the present time has refused to do its duty in regard to the rights of the people of Canada. For the past three years, the returns of the population of this country have been in the hands of the Government as prepared by the census enumerators. The population has been increasing, naturally, for the past thirteen years, and

there has been a great volume of immigration, but notwithstanding this tremendous increase of anywhere from one and a half to two millions, the Government has remained callous and indifferent to the rights of those new made voters and the electors of Canada. They have allowed the two and a half millions to remain unrepresented, both in the House of Commons and in this honourable House; but they are obliged to take courage, and they have promised to bring down a Redistribution Bill. There is no policy in that. I hope the Redistribution Bill which the Government will bring down, and put through this House of Commons, will be acceptable to the people of Canada, as represented by this Chamber. The speech also says that they will bring down a Bill to increase the representation in the Senate. That is no policy. That is another constitutional necessity. But, as far as I am concerned, I may tell them that they will not do it before the proper time comes. I am in accord with the leader of the Opposition when he said he welcomed the proposition of the Government in regard to the increased senatorial representation. There is not the slightest doubt that if the people of the West, and the people of the larger provinces, are entitled to increased representation in the House of Commons, they are also entitled concurrently to increased senatorial representation in this House. But what I dread, and what I foresee is this: that they will bring down their Bill for increased senatorial representation, have it passed in the House of Commons, and brought to this House. In that case I would say to this Government: 'This measure shall pass this House, but it cannot go into effect until the popular branch is fully represented through a Redistribution Bill—that senators shall not be appointed to this Chamber before the increased population of Canada get their representatives on the floor of the House of Commons.' That is the stand I am going to take in regard to that measure. If the Government intend to rush their Bill through, without taking into consideration the fact that the people of the country are at the same time entitled to their additional representatives on the floor of the House of Commons, I will oppose that measure until the Government say: 'We will be ready to increase the representation of both Houses at the same time.' We are not opposed to the Senatorial Bill, any more than to the Highways Bill, but the increase must be concurrent.

I have very little to add in regard to the Highways Bill, except that two years ago, when the Government introduced this Bill, neither the Liberal party in the House of Commons, nor in the Senate, had detected the nigger in the Bill referred to by the hon. gentleman from Fredericton. I did, however, and I gave a warning to the Senate, and even to my own party, that I would oppose that Bill until the Government accepted the amendment which was afterwards proposed, that the spending of that money devoted for highway purposes, should not be left in the hands of Rogers and Cochrane?

Hon. Mr. WATSON—Are they the members?

Hon. Mr. CLORAN—Yes. I took that position on the Agricultural Bill and on other measures. My position is independent. One cannot be more independent than that. I have taken the position without consulting the members of the party, I was astonished to hear the young member from Prince Edward Island charge the House with being a partisan body of the most violent type.

Hon. Mr. GIRROIR—Will the hon. gentleman deny that, during the discussion of the Highways Bill last year, he stated publicly in this House he would defeat that Bill, because it would injure the Liberal party in Canada?

Hon. Mr. CLORAN—I certainly made the statement, and I repeat it, that the object of the Bill was to hold the money in the hands of the federal ministers, for their own purpose, and not for the purposes of the Highways. I emphasize that statement and I know what I am talking about. I know some ministers holding high places in other provinces, who used the public lands, highways, and moneys of departments to defeat candidates for whom I worked. Does he want any more than that? Am I going to trust those men after being shoulder to shoulder with them, and seeing them use money, designed for public construction, to defeat Liberal candidates? Was I to trust them with the expenditure of money? I had my nose to the ground. I was bitten by the fox once, and he will not bite me twice. I do not retract anything I said in regard to that Bill. The hon. member from Prince Edward Island charged members with being partisan. I am a good Liberal, and hope to continue a good Liberal, but I will call attention to mistakes made by my leader and errors made by the party; and these mistakes

will not drive me into the Tory ranks because I would be going from bad to worse. Had the hon. member from Prince Edward Island been here some time ago, he would have seen a Liberal majority emasculating Government Bills in the most cruel fashion. We amended their Railway Act extensively. Out of 250 clauses we made essential and very important amendments to the number of eighty-nine or ninety. We persisted in our amendments to such an extent that a conference had to be called between the House of Commons and the Senate. In the end the House of Commons and the Minister of Railways had to accept some seventy-seven of our amendments, and Mr. Blair was no easy man to handle. There was a conference on some twenty-four of the amendments and a compromise was effected: twelve were accepted and twelve were rejected. There was the most important measure, from an administrative point of view, that the Liberal party ever brought before Parliament. We killed their Branch Lines Bill, and made Hon. Mr. Graham, the Minister of Railways at that time, as mad as a hatter; yet we are told that we are partisan, and because we ask a question, or interrupt any one on the other side, he says we look like a bear garden.

The hon. member from Prince Edward Island (Hon. Mr. Murphy) threw down the gauntlet to our hon. leader, Sir George Ross, and wanted to know how he could justify his position in denouncing the Government's way of acting in regard to the Highways Bill, when he was willing to accept the Agricultural Aid Bill. The hon. gentleman ought to know that the question of Agriculture is divided between the federal and the provincial powers. We have a Minister of Agriculture in Ottawa; he has his experimental farms and can have agricultural colleges if he likes. What we objected to was that the Government of the day wanted to vote a large amount for agricultural purposes. But the money was to remain in the hands of the Minister of Agriculture to be expended. Now I objected to that from the word go. We fought it for two years and finally the Government accepted our amendments and said that the money would be handed over to the provinces. I went further than that: I said on the Highways Bill that I would be satisfied, if they did not want o give it to the provinces, to hand it over to the county councils, who know more about the roads within their county limits than anybody else.

Coming back to the Agricultural Aid Bill, I want to tell the hon. gentleman from Prince Edward Island that he is much mistaken in regard to the constitution. Education is altogether under provincial control, but although the leader of the Opposition accepted the Bill as it now reads, he did not violate the constitution in that respect, because the federal Government can donate money as it pleases for any purpose. It can grant money for church, educational or hospital purposes. Why, they gave Prince Edward Island only two years ago, $100,000 a year to maintain their hospitals and their insane and poor.

I may congratulate the Government on some things which are not mentioned in the speech. There is an omission of two or three points which were made against the Liberal party in the last election. One is the Ne Temere decree. Are you going to have any Ne Temere decree next election to help the Government in fifty or sixty constituencies in Ontario and seven in New Brunswick where it was used in the last election? That is dead and gone. How sore the people must feel now who were humbugged by that cry three years ago. How these good Grits in Ontario must feel ashamed of having taken fright when the Liberal party was charged with being under the heel of the Papacy and the Bishops! But they will come back to the fold contrite and penitent. I guess they are sorry now for their desertion to the Conservative Government, which has proved to be one of the most incompetent on the history of Canada. The present Government have done absolutely nothing in national affairs that is worth mentioning. The Ne Temere is dead. The Eucharistic Congress has evaporated, the waving of the flag—the disloyalty cry that they used with some effect in certain quarters— are three corpses that can go with the Highways Bill and the Naval Bill. Some were stillborn and some were born as monsters. The Government were ashamed of their progeny and did not mention them in the Speech from the Throne.

I have a great deal of sympathy with the hon. gentleman from Prince Edward Island with regard to the decreasing representation of Prince Edward Island, yet it seems strange that a population of 100,000 should have twice or three times the representation of counties containing a much larger population. Some of the constituencies of Montreal have a population of from seventy-five to ninety thousand. However,

I put that aside in view of the hon. gentleman's appeal, I will not say for fair play, but for necessary protection. The documents which he read here this afternoon are, to my mind, the most important that have been brought before the Senate. There is no doubt that the island came into Confederation under a contract giving them six members. I, as one, am prepared to let them retain the representation they have. Their representation has been reduced to four, and I think it would be wise, in spite of the clerical errors in the contract, to allow them to retain their four members. Of course, they have no ground for complaint in regard to Senatorial representation. They have four Senators. The Government can act only in accordance with the constitution in the matter, but if it is imperative under the constitution to reduce the representation of the island in the House of Commons as the population declines, why do not this Government reduce the Senatorial representation? They have not done so. They have as much right and power to do the one as the other, but they dare not attack the Senatorial representation, and my advice to the Government to-day is to let the Senate keep its four members in the House of Commons. The other provinces will have enough. In the next twenty-five years the little island will not worry the big provinces, and the appeal of Prince Edward Island ought to be listened to. We should be broad and big enough for that.

I hope when this Address is adopted and sent to his Excellency for his approval that all the speeches delivered in his House will be attached thereto.

RAILWAY ACT AMENDMENT BILL.

Second reading.

Hon. Mr. POWER, in the absence of Hon. Mr. Casgrain, moved the second reading of Bill (A) 'An Act to amend the Railway Act with respect to the Deposit of Plans.'

He said: This Bill is a measure which was fully considered in the Senate last year, as hon. gentlemen will probably remember, and was adopted I think unanimously. It seems a fair and reasonable measure. Plans in connection with railways proposed to be built by companies are to be deposited in the Railway Department for the purpose of giving further information to parties who may be interested. I understand from the hon. member from De Lanaudière (Hon. Mr. Casgrain) that the Minister of Railways himself has expressed a desire that this measure should be passed by the Senate so that when the Government put their measure amending the Railway Act through, they may utilize this Bill. I do not see that there is any objection to the measure, and it can do no harm as it is going to the hands of the Minister.

The motion was agreed to, and the Bill was read the second time.

CONTINGENT ACCOUNTS OF THE SENATE.

SECOND READING.

Hon. Mr. POWER moved:

That the Standing Committee on Internal Economy and Contingent Accounts be authorized to meet when and as often as it may deem necessary and, without special reference, to inquire into and report upon such matters connected with the internal economy of the Senate as it may think in the interest of the House and the Point of Order raised by the Hon. Mr. Bolduc thereto.

Hon. Mr. LOUGHEED—May I suggest the advisability of letting this motion stand until we have a more representative House than we have here this afternoon?

Hon. Mr. POWER—The motion has stood a good while already, and it refers merely to a matter of the Internal Economy of the House. As I pointed out on a previous occasion, the resolution does not at all affect the powers of His Honour the Speaker with respect to proposed appointments. It simply gives the Committee on Internal Economy the same right that the Committee on Standing Orders has to deal with matters that come up day by day. The ground, as I understand, taken by the hon. member from Lauzon (Hon. Mr. Bolduc) was that when the hon. leader of the House moved the other day the adoption of the report of the Committee on Selection, the door was closed to any attempt to confer further powers on any of these Committees. Hon. gentlemen will remember that after the report of the committee was adopted the hon. leader of the House moved that certain powers not then possessed by the Committee on Standing Orders should be conferred on them, and every hon. gentleman knows that it is quite a usual practice in this House to authorize a committee to do certain things which, without that authority, it has not the right to do. In the end, when you come back to the end of things, the House has the right to empower a committee to do almost anything. In connection with the

Committee on Agriculture a change was made to-day. It would be a most extraordinary thing if this House could not authorize one of its committees to attend to any business that the House chose to delegate to it, either any special business or any general line of business. That is the view that I take. I am not sure whether the Minutes will show that the resolution is before the House or not, but if it is not, I move the adoption of the resolution.

Hon. Mr. BOLDUC—I see no reason to repeat what I said the other day in raising the point of order against the motion of the hon. gentleman from Halifax. I still hold to that point of order. I have asked for the decision of the Speaker, and I suppose we shall have it before the motion is voted on. I do not believe that, in the face of the motion passed by the House, a motion of the leader of the Government in this House —that we can given to a Special Standing Committee a general power to do whatever they please. I heard a little while ago from the hon. gentleman that we had just passed a motion granting an increase in the membership of one Special Committee, but I see no parallel between the two cases, and I still raise the point of order and ask for the decision of the Speaker and, of course, am willing to abide by it.

The SPEAKER — When that point of order was taken on Friday last, at my request I was allowed to take the question en delibere. The Hon. Mr. Young said 'I suggest the resolution should stand over until after the adjournment.'

Hon. Mr. POWR—That was only a suggestion.

Hon. Mr. DERBYSHIRE—Stand.

The SPEAKER—I understood the hon. gentleman to say that nothing would suffer by the postponement, and that it seemed only a reasonable proposition.

Hon. Mr. POWER—If the Hon. the Speaker has not been able to make up his mind on a question of that kind in the last two or three days, I shall not press for a decision, but will let it stand until after the adjournment.

The Motion was allowed to stand.

THE LATE SENATORS ELLIS AND COX.

Hon. Mr. LOUGHEED—Before we deal with the question of adjournment may I be permitted to say that owing to our having to deal with the Address, I had not until now an opportunity of directing the attention of the Senate to the loss by death of two members of this House since last session. During the recess of Parliament this Chamber suffered a great loss in the death of Senator Ellis. During the late Senator's lifetime the greater part of it was devoted to the public service. For a great number of years he gave his attention not only to the public interests of his native province, but in the Federal sphere he served the people of Canada with ability for some thirty years. Senator Ellis will probably be better known to the people of Canada as a journalist than in any other role that he played during his long active life. Public life has a peculiar attraction to journalists. It was some two years ago that there was celebrated in the city of St. John the fifty years of service as a journalist which the late Senator had given, not only to his province but to Canada. Senator Ellis was a man who peculiarly had the courage of his convictions. Although allied for all that long period of time with the Liberal party, there were times when he did not see eye to eye with his political friends. He had that peculiarly independent spirit which led him always to exercise his judgment and express his opinions notwithstanding the difference which that expression might have created between himself and his political allies. That made him an ideal member of the Senate. True, we cannot all boast of exercising that spirit of independence; it requires some courage to do it, and yet it seems there never was a period in the life of the late senator when the Liberal party with which he was allied did not look with pride upon him as a fearless exponent of public opinion and a worthy member of his party. Democratic measures peculiarly appealed to the late senator. He kept his hand upon the public pulse of Canada to a greater extent probably than any other journalist, and the great newspaper with which he was connected bespoke the deep thought he gave to all subjects with which he dealt. He was a man of great dignity, courtesy and kindness of heart, even to an extent which has seldom marked our public men. There was ever a kindly considerate and a human spirit manifested by him in his contact with his fellows, and I am sure that we can all join with the deepest sincerity in expressing our sense of the deep loss, not only to this Chamber but to the Dominion of Canada in the death of our

distinguished colleague who has passed away, in the person of the late Senator Ellis.

The Senate has also suffered a great loss in the death of our late colleague Senator Cox, who died at his residence in the city of Toronto on the opening day of the present session. Senator Cox was not as actively engaged in the political activities of Canada as our late colleague Senator Ellis; yet, notwithstanding that, he was always interested in the public service of Canada. Few men of his day contributed to a larger extent in building up the great financial institutions of Canada, which are of as much necessity to our development and to our national life as our political institutions. He had peculiarly a constructive genius in finance, and I doubt if there is any man in Canada today to whose memory so many successful financial institutions bear tribute to great genius as those which bespeak the ability and industry of the man who laid their foundations. Men of this kind seldom receive the credit to which they are entitled. We are disposed to attach all the honours which our public men enjoy to those who establish themselves high in the political life of the Dominion, but the great foundation builders of Canada are really those who are not so active in political life as those engaged in laying the foundations of our great financial and commercial institutions, and which permit us to develop those great national resources of which we are the inheritors. There was one peculiar characteristic about Senator Cox which never marked any man more decidedly than it did him, and that was his splendid optimism in relation to the great resources of Canada. I doubt if there was a period in his long life, no matter what depression of trade, no matter what financial stringency there might be, but Senator Cox showed the greatest possible confidence both in the present and future of Canada, and continued, notwithstanding the discouragements which may have surrounded him, to build up those institutions to which I have alluded, and which as I have said are a magnificent tribute to his confidence in the country of which he was so distinguished a son. Senator Cox was peculiarly a courteous man. He was ever unaffected and kind in his contact with his fellow men. His ripe experience and mature judgment were always enlisted in the service of the Senate, particularly in the deliberations of our committees, where his wise counsels strongly appealed to the confidence of his fellow members. He was a man that was peculiarly philanthropic and generous in supporting the charitable, religious and benevolent institutions of his native province, and the gifts which he from time to time made to those institutions are a tribute to his generosity and his beneficence. This Senate will join with me in the expressions of esteem and appreciation which we entertained for him in life and our deepest regrets in his departure from amongst us through the hand of death being laid upon him.

Hon. Mr. POWER—The hon. leader of the Government was good enough to ask me if I should not follow him with some remarks in connection with the death of the two senators of whom we have spoken. I have never regretted the absence of the hon. leader of the Opposition quite as much as I do now, because that hon. gentleman has a peculiar faculty of saying the right thing and saying it eloquently in a case of this kind; and I am satisfied that no other members of the Senate feel that same sense of regret more strongly than I do. But there is just this about it; that the hon. leader of the House has spoken with such good judgment and such good taste that really nothing further needs to be said. With respect to Senator Ellis, he was a man of marked ability; we all knew that, and he worked himself up from a comparatively humble position to be the owner of a great and influential newspaper, and his own character was really embodied in the newspaper. That paper was independent and clean, and in every respect of a high character, and so every one who knew Mr. Ellis knew him to be. He was a perfectly upright and independent man, and the hon. leader of the House very properly dwelt on his independence of character, and on his possessing that characteristic which should be peculiarly desirable in the case of a member of the Senate. We all know how the late hon. gentleman from St. John took his own line, the line his conscience and intelligence directed him to take, no matter what the party view of the question might be, and I thought his independence of character was reflected in his bearing. Every hon. gentleman remembers the alert and erect way he carried himself in the House. He lived a life time in the city of St. John, as nearly every one knows, although he was born in Halifax, and he was a life time in the public service as the hon. gentleman has said, but during all that time, from beginning to end, Hon. Mr. Ellis succeeded in gaining and holding the respect of all

classes and conditions of men, and people of every creed, and of every shade of political opinion. Truly he wore through all his days the white flower of a blameless life.

As to the hon. gentleman from Toronto, who died on the opening day of Parliament, I do not feel that I am in a position to say very much. I did not know Mr. Ellis, but every one knows that Mr. Cox won really a very high position in various walks of life by intelligent and persevering effort. There was nothing narrow about the late senator. He was a very warm adherent of his own faith; he was most generous in his gifts for the purposes of his own denomination, but he was tolerant and friendly towards people of all denominations. There was nothing narrow about him in the matter of religion, nor was there in business or politics. Although, as the hon. leader of the House said, he did not perhaps take as open and active a part in public life as the late Senator from St. John, he took a more influential part than a great many people understood. He was, in a quiet way, a very active and efficient supporter of his party. For instance, I think that very few people are aware of the most important and influential part that Senator Cox took in securing the construction of the National Transcontinental railway. A characteristic of Hon. Mr. Cox which particularly struck me was the utter absence of anything like purse pride about him, he was a millionaire, but there was nothing about his manner, or general line of conduct, to indicate that he was better off than his neighbour. He was an exceedingly unassuming man. I think that was one of the great charms of his character. I close my remarks by repeating my expression of regret that the hon. gentleman who generally sits to my right is not present.

Hon. Mr. JAFFRAY—I have only the excuse for taking part in this debate that perhaps I am the oldest and most intimate acquaintance that Senator Cox had in the House. I have been very closely associated with him, and I only wish I had the eloquence and ability to do justice to the feeling I have with regard to the late Senator Cox, and what he was as a man, both as to his ability and character. He had reached a point of importance in Peterborough, but was little known outside of Peterborough, until he took upon himself the task of reorganizing the Midland railway. The road was in the unfortunate position of having neither cash nor credit, and generally it was in a very bad state. His position pointed to him as the man to take the position of president of the company, and he did so. To the astonishment of everybody he reorganized that railway and brought it into a good position. That was the first thing which brought him prominently before the public, and he well deserved it. I had opportunities of knowing the perseverance which the hon. gentleman exhibited in following up this great undertaking. Perhaps the principle means that helped him to be so successful was his personal character, the honesty and kindness of his nature, and the way he had of judging everybody with whom he came in contact, so that every man in his employment served him to the best of his ability. To-day we find nothing but the highest appreciation of his conduct and the way he treated those with whom he came in contact, and their readiness to perform any service in their power to gratify him and fulfil what he wanted to accomplish. His progress afterwards is well known to most of us, but the difficulties that he had to overcome, and the ability he showed in overcoming them, the amount of resource he exercised, are known only to those who were intimately acquainted with him. He did not start in a high position in life, and the one thing which is perhaps more to be admired than another in Senator Cox's character is that he never was ashamed of the lowness of the position in which he started. Before the best men of the city of Toronto I have heard him state that he was mending shoes with his father when he heard of a boy being wanted for the telegraph office, and he thought he would like to be that boy, and he paid a tribute of respect and admiration to Mr. Dwight for the kindliness with which he took him into the service, and for the excellent opportunity it gave him to develop what was in him. His best monument, and one that will be lasting to his memory, are the financial institutions which he controlled, many of which he really organized and brought to the front, and all of which were the better and strengthened and made more useful to the public through the ability which he applied to the development of them. I need say nothing of his personal character. Every one with whom he came in contact liked him. He had no enemies, and very many friends, and I heartily endorse what has been said by the hon. leader

of the Government and the hon. gentleman from Halifax. I only wish I could better express the feeling I have with regard to the senator who has gone from among us. The Senate has lost an able and admirable man, and Canada has lost a gentleman who has done great service to his country. He was a thorough Canadian, loyal to Canada, and deserving of the highest tribute the country can pay him.

Hon. Mr. DANIEL—I wish to thank the hon. leader of the Government and the hon. gentleman from Halifax for the appreciative words they have spoken with regard to our late colleague in this House, Senator Ellis. Both of them have spoken more fully and eloquently than I could, of the late senator, but I can testify to the absolute truth of every word they have uttered. The late Senator Ellis, at the time of his death, occupied a peculiar position in the hearts of the people of St. John. I believe at that time he was really the most highly respected, and most affectionately esteemed public man in the city of St. John. He was, as has been mentioned, a man of independent views, and, at the same time, was always a man of strong party affiliations. I can remember very many years ago—I presume it must have been at the time the Mackenzie Government was in power—he was appointed postmaster of the city of St. John. At that time he was editor, and I think proprietor, of the St. John Globe, a strong Liberal paper. Notwithstanding his appointment as Postmaster, he continued in his paper to advocate the principles and doctrines of the Liberal party to which he had always been attached. That, of course, was not relished by the Government of the day, and Hon. Mr. Ellis had to take his choice as between the position of Postmaster, or altering the attitude of his newspaper; Hon. Mr. Ellis did not pause to make up his mind as to which he should do. He resigned the position of Postmaster and continued to edit his paper entirely in the interest of the Liberal party. Hon. gentlemen will remember that the very last vote that the Hon. Mr. Ellis gave in this House was in favour of a Government measure. It shows that, notwithstanding his strong party affiliations, and party feelings, he was still sufficiently independent to vote for things he thought were in the best interests of the country to which he belonged. Those are two instances of the independence of the views, and, at the same time, of the strong party affiliations, which always attached themselves to the character of the late Hon. Mr. Ellis. As an editor, I think there was not one in St. John, where he has lived so long, who would deny that the paper which Hon. Mr. Ellis edited with so much ability was probably the most important and influential paper published in that city among the people who took it and read it, and, as I said before, at the time of his death there is no one, and there never has been any one in the city of St. John who attained as high a position in the esteem, respect and affection of the people of that city.

The motion was agreed to.

The Senate adjourned until February 18, at three o'clock in the afternoon.

THE SENATE.

Ottawa, February 18, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILL INTRODUCED.

Bill (B), An Act respecting the Pollution of Navigable Waters.—Hon. Mr. Belcourt.

THE DRAINAGE OF LANDS IN SASKATCHEWAN.

INQUIRY.

Hon. Mr. DAVIS inquired:

Is the Government aware that the following resolution was passed at the last meeting of the Saskatchewan legislature?

Whereas the development of the province has reached a stage which makes it necessary in the interests of the farmers affected to undertake the drainage of large areas of land under the provisions of the Drainage Act;

And whereas under the provisions of the said Act the cost of any such drainage scheme must be borne by the property owners in proportion to the benefits to their property;

And whereas there are included in many of the drainage districts proposed to be organized, Crown lands which are exempt from taxation, and which, if benefited, would not be liable to any share of the cost of the drainage works;

And whereas as a consequence of these conditions, the creation of drainage districts and the necessary drainage of lands is being delayed;

Therefore, be it resolved that in the opinion of this House. it is desirable that the attention of the Government of Canada be drawn to the conditions herein referred to in order that some immediate policy may be adopted whereby all lands included in drainage districts may pay their share of the cost of any drainage works constructed.

If so. does the Government intend to take any action to carry out the suggestion of the legislature?

Hon. Mr. LOUGHEED—The matter is at present under consideration.

Hon. Mr. DAVIS—I might draw the attention of my hon. friend to the fact that, sometimes, these things are too long under consideration. This is a very important matter, and I should like to get some information about it this session. I should just like to say that the Dominion Government, at present, owns and controls all the public lands in Saskatchewan. The local Government has to furnish the money to drain these lands, and the effect is to increase the value of the Government holdings. I think, therefore, that the Dominion Government should bear a portion of the expense of this drainage. It is not fair to ask the few people living in that province—they are few considering the size of the province—to spend money draining and improving lands that do not belong to them. Of course, if the Dominion Government would hand over the public lands to the province as they promised to do, it would be another matter; but if these lands are not to be handed over, most certainly the Dominion Government should bear their share of the expense of draining them.

APPEALS TO SUPREME COURT AND PRIVY COUNCIL.

MOTION.

Hon. Mr. DAVID moved:

That a committee be appointed to consider the advisability of limiting the right of appeal to the Supreme Court and to the Privy Council to certain classes of cases, and that the said committee be composed of the Honourable Messieurs Lougheed, Béique, Bostock, Belcourt, Ross (Middleton)), Power, Choquette, Kerr and the mover.

He said: Hon. gentlemen will remember that last session I asked for the appointment of a committee to deal with this subject. The committee was appointed and commenced its work, but as it was formed near the end of the session, very little could be done. The committee asked for information from the Attorneys' General of the different provinces, and I understand that some of that information has been received Since then, this important question has been discussed in the press and by the bar in different provinces, and the committee to be appointed will be able to take advantage of the views that have been expressed in favour of limiting the right of appeal to certain classes of cases. The committee should therefore be able before long to make a practical and useful report on that question. Naturally, if the hon. members think proper to enlarge the committee they may do so.

Hon Mr. LOUGHEED—I cannot very well act on this committee, being a member of the Government, and I would, therefore, suggest that the name of the hon. gentleman from Belleville (Sir Mackenzie Bowell) be substituted for mine. I would also suggest that the hon. member ask the Hon. Mr. Girroir, from Nova Scotia, to act on that committee.

Hon. Mr. DAVID—Then it would be proper to add another name.

Hon. Mr. DAVIS—I am sorry that the hon. leader of the House does not see his way clear to serve on that committee, because this is a very important matter. We have very few lawyers in this House representing the West, and there should be a lawyer from that part of Canada on the committee.

Hon. Mr. CASGRAIN—Mr. Bostock is a lawyer.

Hon. Mr. DAVIS—I think not.

Hon. Mr. LOUGHEED—Yes, he is a lawyer.

Hon. Sir MACKENZIE BOWELL—I am not a lawyer, but I have pretty strong views on the subject.

Hon. Mr. WATSON—There should be laymen on that committee. In fact, I think a good layman is better qualified than a lawyer to express an opinion on this subject. Lawyers find it to their interest to encourage appeals. I think it is better to curtail the operations of the lawyers, and I would, therefore, suggest that the hon. gentleman from Toronto (Sir Melvin Jones) would be a good member of the committee.

Hon. Mr. YOUNG—Yes, he is in trouble often.

The SPEAKER—Does the hon. gentleman amend his motion to make these changes and additions?

Hon. Mr. DAVID—Yes.

Hon. Mr. DANIEL—I think the mover of the resolution might explain what he intends the committee to do. He states that it is to arrange that appeals should be allowed only in certain classes of cases. He should tell the Chamber what classes of cases he has in view so that members of the Senate might

have some idea of the probable outcome of this committee. They should know whether it is advisable to pass the resolution or not. I am no lawyer and I should like to know a little more about the meaning and intention of this resolution before being asked to vote upon it.

Hon. Mr. DAVID—Last year there was a discussion on this question and in that discussion I went as far as I could go. I am asking for the appointment of a committee because I think I have not all the wisdom necessary to say what is required. The committee will be in a better position than I am, after having discussed the question with additional information, to say exactly to what classes of cases the right of appeal should be limited. But as the hon. gentleman thinks discussion on that question would be proper, I ask that the motion be adjourned until to-morrow, so that I may, perhaps, repeat what I said last year, though it may not be very interesting.

Hon. Mr. DANIEL—We should like to hear it.

Hon. Mr. CASGRAIN—As a layman, not as a lawyer, I should like to ask the hon. gentleman, who has always been very strong for provincial autonomy and for all the civil rights pertaining to the provinces, to deal with that phase of the question when he discusses this subject, and take up the question how far the motion would affect civil rights, in the province of Quebec, for instance.

Hon. Mr. CHOQUETTE—It has nothing to do with that.

Hon. Mr. DAVIS—Not being a lawyer I do not propose to discuss this from that standpoint, but there is a feeling abroad in the country that our Supreme Court should be empowered to settle matters between individuals, such as business transactions of all kinds, and that if any matters should be taken to the Privy Council they should be such as affects the rights of any of the provinces—constitutional questions, and all matters of that kind. Outside of those, other cases should be settled by our own courts.

Hon. Mr. DAVID—I move, then, that the debate be adjourned until to-morrow.

Some hon. GENTLEMEN—No; go on; question.

The motion was amended and agreed to.

THE INTERNAL ECONOMY COMMITTEE.

MOTION POSTPONED.

The Orders of the Day being called:

Consideration of the motion of the Honourable Mr. Power:

That the Standing Committee on Internal Economy and Contingents Accounts be authorized to meet when and as often as it may deem necessary and, without special reference, to inquire into and report upon such matters connected with the internal economy of the Senate as it may think in the interest of the House and the point of order raised by the Honourable Mr. Bolduc thereto.

Hon. Mr. POWER—I think this matter should stand until Friday.

The SPEAKER—I may say I have my decision ready.

Hon. Mr. POWER—In view of the possibility of discussion, I think it would be better to postpone the matter until Friday.

The SPEAKER—I not only heard that there would be discussion, but I heard also that members had been canvassed to vote down my decision if it should not be in their favour, and I think it is a very disgraceful thing.

Hon. Mr. POWER—Speaking for myself, I had not heard that.

The SPEAKER—I heard it from the lips of men who had been canvassed.

Hon. Mr. POWER—The general rule has been that if a member in charge of a motion which is upon the paper asks to have it stand, it stands as a matter of course.

The SPEAKER—Yes, but in this case the member who has the right to have it adjourned is the member who pointed out the objection.

Hon. Mr. POWER—Perhaps it would be better to let it stand until Tuesday next, and then we can finish it.

The SPEAKER—As the member who raised the objection is willing to have it stand until next Tuesday, and the House seems desirous that that should be done, I assent to that.

The House adjourned until to-morrow at three o'clock.

THE SENATE.

Thursday, February 19, 1914.

The SPEAKER took the chair at Three o'clock.

Prayers and routine proceedings.

BRITISH COLUMBIA INDIAN COMMISSION.

INQUIRY.

The notice of inquiry being called:

By the Honourable Mr. Bostock:—

That he will inquire of the Government:—

1. Hon. Mr. E. L. Wetmore, late Chief Justice of Saskatchewan, resigned his position as Chairman of the Commission appointed in 1913 to investigate the claims put forth by and on behalf of the Indians of British Columbia?

2. If so, what are the reasons given for the resignation?

3. Has any one else been appointed as Chairman of this Commission?

Has the Commission made any report?

Hon. Mr. LOUGHEED—The hon. gentleman who placed these inquiries in the paper is absent, but I have the answers, which are as follows:

1. Yes.

2. Physical inability to undertake the work of the Commission in remote districts of British Columbia during the approaching summer.

3. No.

4. The Commission has made an interim report.

BILL INTRODUCED.

Bill (6), An Act to incorporate the Atlin Railway Company.—Hon. Mr. Davis.

CHINESE IMMIGRATION AND HEAD TAX.

MOTION.

Hon. Mr. DAVIS moved:

That an humble Address be presented to His Royal Highness the Governor General: praying that His Royal Highness will cause a return to be laid before the Senate showing:—

1. The number of Chinamen entering Canada during the years 1911, 1912 and 1913.

2. The amount of head-tax collected each year respectively?

3. How such head-tax was disposed of?

4. Were such Chinamen settled by provinces?

Hon. Mr. LOUGHEED: There is no objection to the motion. The papers will be brought down in due time.

The motion was agreed to.

The Senate adjourned until to-morrow at three o'clock.

Mr. SPEAKER.

THE SENATE.

Friday, February 20, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILL INTRODUCED.

Bill (D), An Act to amend the Criminal Code.—Hon. Mr. Choquette.

WEEK END ADJOURNMENTS.

MOTION.

Hon. Mr. LOUGHEED moved:

That from this day on, and until the Senate orders differently, when the Senate adjourns on Friday, it shall stand adjourned until the following Tuesday, at three o'clock in the afternoon.

Hon. Mr. CHOQUETTE moved that the following words be added to the motion:

And that on this Friday it shall stand adjourned until Thursday, the 26th inst.

The House divided on the amendment, which was agreed to.

The motion, as amended, was then adopted.

POLLUTION OF NAVIGABLE WATERS BILL.

SECOND READING.

Hon. Mr. BELCOURT moved the second reading of Bill (B), An Act respecting the Pollution of Navigable Waters. He said: This Bill does not call for many comments from me. It is exactly the same Bill which was considered last year and the year before by a special committee of the Senate, and adopted. After it passed this House last year and when it reached the House of Commons the Prime Minister moved that a committee of that House inquire into this Bill, and also at the same time into a Bill which had been introduced by a member of that branch of Parliament. The committee sat towards the end of the session, heard considerable expert evidence, and provided means for collecting, during the recess, more evidence, which would be considered early this session. That committee has already met this session, and heard some evidence, and proposes to continue considering the whole subject until it is exhausted. Another event which has happened since, and which is of consequence in considering this measure, is that the International Joint Commission on Waterways has had the matter under very serious

consideration. A great deal of evidence there also has been taken, and the members of the commission have given it serious attention. I believe that both branches of the commission have come to a conclusion as to the reports to be submitted to their respective Governments, with a view of dealing with those waters which form part of the International boundary between Canada and the United States. Probably this session will not be closed without the report of the Canadian commissioners being submitted to us for our consideration. The reasons which led me to introduce this Bill three years ago are to-day as potent and as cogent as they were then. I should say they are more so, because public opinion against the pollution of navigable rivers, and of waters generally, has made very great progress in the meantime. Legislation has been introduced in many countries in Europe and many of the states of the United States of America, with a view to preventing what I then termed, and I then properly termed, a crime against nature. I hope the Senate will see no reason whatever for changing its mind on this very grave subject, one which—if I may say so—is becoming graver every year and more difficult to deal with and solve as population increases and becomes denser. I need not take up further time, as the matter was very exhaustively gone into on previous occasions and received the deliberate and persistent consideration of the committee over which presides the hon. member for Lethbridge. In the House also it received very exhaustive consideration.

The motion was agreed to, and the Bill was read the second time.

Hon. Mr. DANIEL—I should like to ask the hon. gentleman how this Bill compares with Bill (5), introduced by Mr. Bradbury in the House of Commons?

Hon. Mr. BELCOURT—I think all that appears in Mr. Bradbury's Bill appears in mine, but there are provisions in my Bill which are not in Mr. Bradbury's Bill.

The Senate adjourned until Thursday, the 26th instant, at three o'clock.

THE SENATE.

Thursday, February 26, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

IMPORTATION OF THOROUGHBRED MARES AND STALLIONS.

INQUIRY.

Hon. Mr. CASGRAIN rose to:

Call the attention of the Government to some unsatisfactory features regarding the regulations for the importation, duty free, of thoroughbred mares and stallions, and inquire whether it is the intention of the Government to remedy these conditions should they exist?

He said: With the permission of the House I should like to bring before it some objections to present conditions regarding duty-free importation of thoroughbred mares and stallions. I may say that this is a question which is altogether free from any political significance, and no political party could take exception to it. If there is any grievance existing, or if there is anything amiss, both parties are equally responsible, because the conditions complained of have been in existence for a long time. The contentions are:

1. That the Government does not enforce the customs law as to the free import for breeding purposes.

2. That the Government delegates this enforcement to the National Record Committee—a body not responsible to the public or selected by it, and having interests not always the same as those of other importers.

3. This committee declines to use certain powers, thereby depriving importers of part of their rights. It being a private body under no legal duty to perform any function, there are no legal means to compel it to act. That is the reason why I am now presenting the subject.

4. Briefly, the customs law gives entry, duty free, for breeding stock, leaving the Governor in Council to make the necessary regulations. The Governor in Council allows free entry, if the animal is registered in the Canadian Register, or in a foreign record recognized as reliable by the National Record Committee. But here is the kernel of the whole thing. The National Record Committee will not declare that the English, the American, the Australian, or the French Stud Book are recognized as reliable. It will not pronounce as a public body that could be compelled to, that these books are, or are not, reliable. Animals entered in those books are, however, in practice ineligible for entry in the Canadian Register kept by the committee; in fact they are the foundation books for the committee's books.

5. The committee thus takes away from

the importer of an animal registered in the English or American Stud Book, etc., one method of free entry. It imposes on him no alternative but to submit to entry in the Canadian Register as a condition precedent to free entry—a condition not authorized by the customs law nor by Order in Council. Also, it gets into its own hands a power to obstruct the importer, for it can make entry into the Canadian Register easy or hard, slow or otherwise, or refuse it altogether.

6. To have one's case considered by the committee one must be the owner of the animal tendered for free entry. That is to say, you must have parted with your money and have purchased the animal abroad and have so far committed yourself to difficulties before knowing whether the committee will allow you to get out of them.

7. Amongst the terms it imposes at present are the producing of written transfers of the animal from the original breeder through every owner down to the importer. Such documents are not usual in transactions relating to thoroughbred horses, are in many cases not procurable, and sometimes only procurable by paying for them. The mere demand for them in many cases would prevent the purchase of a desirable animal because foreign buyers do not need such documents and the seller never has them.

8. A Canadian buyer competing with foreign buyers, therefore, labours under several disadvantages:

(a) There is the certainty of delay while discussing with the committee;

(b) There is the possibility of being unable to procure the documents required;

(c) There is the possibility of being unable to satisfy the committee;

(d) Whilst the duty free entry question is thus held up the animal has to be bonded or duty paid under protest.

9. The result is that an animal undoubtedly registered in the English or the American Stud Book and perhaps perfectly well known on the race track as a performer, cannot always be imported duty free into the country. The trouble and annoyance are so great as to discourage individual importers. To those of limited means they are prohibitory. The story of those who have been through them tends to deter others from attempting to import. This, no doubt, is the underlying object.

10. The Canadian buyer with a limited sum to spend cannot buy as good an animal as his foreign competitor, because the foreign competitor has no doubts or difficulties before him and can pay out the whole sum, while the Canadian buyer has to hold back enough to pay the duty in case of need. Or, to put it another way, to get a particular animal the Canadian buyer has to have the same amount of available cash as the foreign buyer and in addition enough to pay the duty, if levied. Importation into Canada for a given capital, therefore must be of an inferior class. This applies whether you buy abroad or on the race track in Canada a foreign animal racing there in bond.

11. The National Record Committee claim that its system is necessary in order to identify the animals and to build up an ideal system of registration. The country is not sufficiently full of stock to adopt such a system. It is questionable whether theirs is such or is in any event desirable. Stud books are only records of breeding experiments. In countries where they have been most successful the use of them has been voluntary. Their value depends entirely on the reputation for carefulness and integrity of those who use them. The identification requirements are clearly futile for the ostensible purpose.

12. If the Record Committee's system is true in theory, those who follow it should in a few years by the superiority of the class of animals bred by them, demonstrate the advantages of that system. They evidently do not like to trust to this or they would not try to drive those who do not agree with them into their system. If, on the contrary, they believe as their opponents do, that the system means that those who follow it must end by having inferior stock, their anxiety to force it on their competitors is explainable.

13. Paper identification is not possible, even of animals bearing extraordinary marks. A chain of identification is always as weak as the weakest link. The animal's parentage depends (first) on the word of some one who saw the sire put to the dam, and (second) on the word of some one who saw her foal. These things in practice depend on the reliability of the people dealt with. The only result of requiring transfer documents is to form a basis upon which animals may be rejected and importers discouraged.

14. The following considerations show the worth of the identification system adopted:

(a) Those animals already in the country at the inception could not have the system applied to them;

(b) The offspring of animals brought in

since upon which duty is paid are registered without identification of their parents.

(c) Obviously, in no event are the parents of the identical animals identified;

(d) A mare brought in in foal may be rejected and the owner forced to pay duty for lack of identification papers, but the foal is registered without any;

(e) The credibility of those who sign the papers can never be tested;

(f) The series of identification papers do not in themselves prove anything and would not make a prima facie case anywhere—because the animal referred to, if it had not some extraordinary marks, could not be shown to be the same as that mentioned in the papers.

15. We want as good a chance to get good stuff for the same investment as our foreign competitors.

16. We want the Government to take the responsibility of seeing that we get it.

17. We do not want to have our business in the hands or power of any group of dealers or breeders. We want to follow our own course and let them follow theirs.

18. The material in the country is poor. The system adopted tends to keep it that way. It tends to compel those provinces not already provided with breeding stock to buy the culls from existing establishments in the provinces that are so provided, or to buy abroad animals the breeder has not been able either to sell or to train. They being still in his hands he can give the complete transfer documents. Even then his word alone makes the only evidence of what the sire and the dam were.

More than forty years ago, the importation free of duty of live stock for breeding purposes was a plank in the Liberal platform. In his Reminiscences, page 44, Sir George Ross gives an interesting account of its effect on one of his elections.

I have just mentioned Sir Geo. Ross's name, and I am sure I am voicing the sentiments of every hon. gentleman in this Chamber when I express the ardent desire that he may soon recover his health, and resume the place which he so well and ably filled when attending the sessions of this House.

Ostensibly for many years past this question I have been discussing has become common ground to both parties.

That it should in the process of time remain so in appearance but have become in fact a disguised protective system for such stock, good or bad, as may be in the country, will at first be hardly credited, but that it is so will be seen after light has been thrown upon the practice as applied to the theory.

There are a certain number of stud books or herd books in foreign countries in which the breeders record the births of their animals. Of course it does not follow that animals there recorded are valuable for breeding purposes nor that many not so recorded are not valuable. To avoid entering on any ground possibly debatable, the discussion may be limited by assuming that an animal is not valuable for breeding purposes unless so recorded. Certain of these books are recognized by the United States Government as being reliable and a list of those so recognized is published by that government.

That is exactly what we would like the Government here to do—publish a list of stud books that they would admit. Surely there must be in the whole world some stud or herd book that is reliable. If the Government of the day would do as the government of any other country is doing, and publish the list, the Canadian buyers would be on the same footing as any other buyer in the world.

The Canadian Government not only does not publish such a list, but it does not itself decide whether any such foreign stud or herd books are reliable. That duty it delegates to the National Record Committee, a body of breeders or dealers no doubt well acquainted with breeding and dealing in the classes of animals in which they are interested, but perhaps for that very reason, not a body which should be selected to make decisions affecting the rights of others who may wish to breed or deal in horses or cattle. The salient point of difference between the American and the Canadian application of the principle of duty free entry for breeding stock therefore is that the one Government publishes a list of the books record in which carries with it duty free entry, while our own delegates this duty to what is essentially a private and non-responsible body.

Whether it be legal for the Government to leave to a committee of dealers in any particular trade the power to affect their competitors' imports may be doubted. The point to be noted at the moment is that by acts of omission rather than commission, firstly of the Government, and secondly of the National Record Committee, some importers suffer through the illegality, if there be one, and are so exposed without

having any legal remedy short of interference by Parliament.

The article of the tariff dealing with duty free entry for breeding purposes leaves it to the Government by Order in Council to give effect to the provision. The Government purports to do this by saying that free entry shall be granted to animals owned by British subjects resident in Canada (a) if the animal is registered in the Canadian register for the breed, or (b) in any record kept abroad and recognized as reliable by the National Record Committee.

The provision sounds both fair and wise but falls short of what is desirable, first in that there is no authoritative publication of a list of foreign records recognized as reliable by the Government, second that the National Record Committee will not recognize any foreign record kept abroad as reliable if there is a Canadian record for the breed, and lastly in that being a private body there are no legal means of compelling them to pronounce publicly and definitely on the reliability or otherwise of any foreign record even in the case of one recognized by the United States Government and by every other government all over the world.

There are Canadian records for nearly all the more prominent breeds of cattle and horses. The foreign records recognized as reliable by the United States Government are broadly speaking the very books which form the foundation of the Canadian records, but by omitting and refusing to certify publicly that they are recognized as reliable by the National Record Committee, the Canadian importer is placed in a very different position from the American competitor.

Hon. Mr. CLORAN—I would like to ask the hon. gentleman one question. He is asking that the stud books of the United States be recognized in Canada. Will the United States or do the United States recognize Canadian stud books to the same amount and degree.

Hon. Mr. CASGRAIN—I am coming to that in a few minutes. The American can import duty free an animal registered in such reliable foreign record as of right. The Canadian can only do so after he has got it recorded in the Canadian register. This is the second salient difference between the method adopted in the two countries. Pedigreed stock, as we all know, is imported for two very different purposes and by two classes of persons interested in different ways. Those who care to inquire into the matter can judge for themselves which purpose the duty free entry provision was most intended to help and what interest is in fact most advantaged by the system in vogue. Better beef cattle, finer dairy cows and more enduring horses are wanted, not in the show rings, but on the farms. The show ring is the place where what the farmer wants is advertised. No one can conceive of the farmer knowingly supporting a system by which direct import by him of stock he needs to cross with and improve his half-bred herd is made hard to him and by which what stock is available through importation by others is likely to be either higher in price or poorer in quality than it need be if full effect were given to the law.

No one would grudge free import to those who breed pedigreed stock in the country nor object to Government keeping their stud and herd books for them, but probably most people would subscribe to the proposition that having these things they should by their produce show that they were breeding as good stock for the price as any one could import direct and duty free. If they cannot show this, surely no one would support a protective system for their benefit, for the effect would be that those who desired pedigreed stock to cross with half-bred herds —and they are the main support of the whole agricultural industry—would get worse animals for their purposes and pay a higher price.

Now, in the most important breeds, should an intending importer apply to know whether say the Percheron Stud Book or the Durham Herd Book is recognized as reliable by the Government, he will be told by the committee that it is not, and he will be invited to register in the Canadian book for these breeds, a record inaugurated and directed by a group of persons already engaged in breeding or importing that class of stock, a book kept by the National Record Committee under their directions and a body upon which they are represented.

Bearing in mind that the intending importer's free entry is thus made to depend (a) on his being a British subject resident in Canada, (b) on his owning the animal and (c) on his being able to get the National Record Committee to record it before he gets free entry, it obviously takes

but little to delay, defeat or obstruct him in his endeavour to obtain it.

Amongst the first requirements of the National Record Committee is that transfers of the animal from the breeder up to the importing owner must be furnished, that is that a title from hand to hand must be obtained in writing. This requirement is alleged by the committee to be necessary for the purpose of identifying the animal. Now for the primary purpose of crossing on half-bred stock, if the animal can be proved to be entered on a foreign reliable record, the chain of title is a matter of indifference to the farmer if his legal title be good enough to prevent any one from taking the animal from him. That legal title is neither better nor worse because of the chain of documents. Moreover no such chain of documents covers the real points at which identity is most likely to be lost. The testimony of those who saw the dam bred to the sire or the animal born is not always available. In many breeds the young are taken from the mothers and raised by hand or placed with foster mothers. The identity can only be traced by the testimony of those who were on the spot and saw this done. No records or chain of documents effectively cover the risk of loss of identity at these points. Nor is it desirable that they should because stud and herd books are not books of title but are essentially records of breeding experiments. They have been of most use in those countries where recording in them has been left as a voluntary matter to the breeders. They are of value only as showing the results obtained through the union of one family with another and only of value in so far as they have been carefully carried out and recorded by people whose reputation is beyond question. The character of the breeder counts for everything. The failure as well as the success of the breeder of high character are equally valuable to other breeders. The entries recorded by breeders about whose character or diligence there is the slightest suspicion do not add in the slightest degree to the value of their stock. No matter by whom recorded there are probably in any herd book quite as many worthless animals as there are good ones.

The Canadian importer bidding at a sale, say in England, stands at a disadvantage as compared with his American competitor. The latter can safely buy an animal guaranteed to be recorded in one of the books recognized by his Government. The former cannot. He would like to add some limitations, as to say:

> I will outbid my American competitor if the seller will guarantee duty free entry into Canada or if he will guarantee to furnish all the documents required in Canada for duty free entry in excess of those required in the United States, or if he will sell conditionally on my obtaining free entry.

But these are points which he cannot effectively raise at an auction. He must be prepared to buy and take his chances of delay and of being refused free entry. This he may do if he has on hand funds sufficient. But if he has only the same sum available as his competitor bids, he must content himself with buying an inferior animal.

Suppose he buys, and he must do so before his case will be considered by the committee, he cannot get them to pronounce beforehand as to whether if he purchases such and such an animal, it would come in duty free. The seller not being a British subject resident in Canada, cannot deliver them duty free. Even if he could, he would not do so for the same price as he would take from an American buyer for a straight sale. In a word, the Canadian buyer must be irrevocably committed as owner before he can ascertain whether he is to get free entry or pay duty. Meantime his animal lands in Canada and he has to pay duty under protest, or is forced to become a public warehouseman under bond with sureties.

If he buy direct from the breeder in England and hold the animal there as owner until by correspondence he has made his course clear he may escape some of the risks, but even then if he cannot secure free entry he has certain dangers before him, and in any event is debarred from any of the chances to make advantageous purchases which are open to foreign buyers.

Take it all in all, a foreign buyer knows exactly where his government stands; knows that it means to help him to bring in stock duty free. The Canadian buyer knows that whatever the law may say, the practice leaves him in doubt and he must feel fairly sure that the National Record Committee's system leaves him at a disadvantage. Months may, and do, elapse while he is piecing together documents required by the committee. Meantime he cannot sell the animal and does not know what it is to cost him ultimately. The keep makes a big hole in his margin of profit. The American purchaser of a like animal at the same sale has his purchase through the

customs without delay. His importation is not subject to registration in any books kept by his trade competitors. They cannot force him to record in books kept by them, and with good reason, for except where an animal is intended for use in a registered herd, recording in such books in his own country is of no use either to him or to his country, but the registration being a voluntary matter, he can apply for it when and as it seems to be of any use to him.

Enough has been said to show that free import as affecting pure breeds intended to be bred to half-bred herds is not given due effect to.

As to the result of the system on the pure bred herds already in the country and through them on the class of animal to be bought out of them by the farmer for cross-breeding, it may be pointed out that the only use to the country of such herds is to supply the farmer with as good an animal in price and quality as he could import direct from abroad. Such a class of animal local breeders only need to produce under the direct stimulus of competition. If that be removed, and it is in part removed by the difficulties in importing direct, then they will sell him something not quite so good as his American competitor may get abroad at the same cost.

The trend of the system, therefore, on the whole, is to discourage the individual importer and to make a semi-protective system for the benefit of stock already in the country. That is free import of the farmer's raw material is discouraged and inferior raw material already in the country protected, and this in the face of the declared policy of Parliament.

Thus, since the days when Sir George Ross stood for the House of Commons we have swung around to the opposite point of the compass as to the encouragement of free imports. Should we not swing back and not only say, but mean free imports of pedigreed stock, and see that the farmer gets what the law gives him. No matter is more for-reaching than this upon the material prosperity of the country.

A thousand Polled Angus or Durham bulls in the West bring down ten times their cost to the shipping points inside of three or four years merely through the increased weight and quality of their stock. Like improvements would follow free imports of dairy cattle and of horses. Those provinces most in need of better saleable stock suffer the most from existing conditions.

Hon. Mr. CASGRAIN.

That the law is not applied is clear. Why it should not be applied has to be explained. Why a private body exercises part of the functions of Government cannot be satisfactorily explained. No part of a subject's rights should be taken away from him by a body not answerable to the electors and which cannot through the courts be compelled to perform the duties assigned to it for the simple reason that it is a private body and cannot be compelled to perform any more of the duties than it chooses.

A brief review of the circumstances suggests certain modifications as being imperatively necessary.

1. The Government should publish a list of all foreign records which are generally recognized as reliable. Record in these should entitle an animal to free entry. There is no difficulty in making such a list. The National Record Committee have such a list which they use as the basis of entering in their own books although they will not certify that the books they so use are reliable within the meaning of the Order in Council when the individual importer wants to obtain free entry. Even if they had not such a list, the list published by the United States Government affords sufficient information.

2. No private body should have anything to say as to the application of the customs law to its competitors and free entry should not depend in any way on recording in any book kept in Canada.

3. The Canadian stud and herd books should be open to voluntary entry upon such terms as those who keep them see fit. Their present system is more exacting than is thought necessary by many foreign systems. Whether rightly or wrongly so, depends on whether the book is conceived to be a record of breeding experiments or a history of title.

As a voluntary matter there would be no objection to their following either theory, it is only when they seek to impose their system on others who do not need it that their theories interfere with the rights of others and thereby become of any public importance.

If as a result of the voluntary application of their present system of title and so called identification they produce a still better stock for the money than can be procured abroad, the country will have reason to congratulate itself. That they hope to do so or believe that they can do so is to say the least cast in doubt by

their desire to force the system on others even to the point of refusing them free entry. If they believed as their opponents do that their system and practice tend to discourage the individual importer and to create a disguised protection for the benefit of herds already in the country, their anxiety to force the system on others would be explainable, because by getting every one into the same position the possibility of comparing the benefits of their system with what can be done under the system of free imports, would be gone. Until they have shown their value, it would seem that there is no particular reason why their ideas should be enforced at the expense of the country, contrary to law and to the detriment of their trade competitors.

I have done my best to make this matter as clear as possible. What would be desirable would be for the Government to publish a list of reliable stud books, and have animals registered say, in one of those stud books, either in Europe or the United States. Then the importer would be granted entry free, as in other countries. To-day if a Canadian buys an animal he has no guarantee that this animal will fulfill all the requirements. On the other hand those who compete at the auction can, in their own countries, bring in those animals just because of the mere fact that the stud books in those countries are admissible.

Hon. Mr. DOUGLAS—This is a matter of very great importance, and it strikes a heavy blow at the whole record system of Canada, not only with regard to one line of stock, but with regard to the whole stock of the country. It is desirable that the question should be fully discussed, and from the nature of the document that has been read by the hon. gentleman, one can easily see that it is impossible for us, from simply hearing this paper read, to reach anything like a just conclusion as to what the Government should do. I call attention, by way of illustrating the importance to the general public of this question, to the fact that, at the present moment, there are 10,000 men who pay their fees regularly and are identified with this Live Stock Association of Canada. In addition to the 10,000 direct members, who are some of our most important breeders of stock of various kinds, there are also 35,000 individuals who are doing business with this association. I have gone into this question somewhat closely, and I am prepared to proceed at the present moment and discuss the matter; but there is a large number of gentlemen all over the country who are financially interested, and I therefore move that the debate be adjourned until Tuesday next. The matter will be published in the press and people will form some idea of its importance. Then again there are gentlemen who are personally interested in the question who are not present to-day and it would be taking an undue advantage of them to proceed now.

Hon. Mr. OWENS—I second the motion to adjourn the debate, and I think, instead of referring it to the full House on Tuesday next, it should be sent to the Agricultural Committee. A committee on agriculture was formed a few years ago and performed some very active work for a session or so, but that committee has since been dropped entirely. Now a question arises which affects the agriculturists of this country.

Hon. Mr. POWER—But this is not a motion.

Hon. Mr. DOUGLAS—We could adjourn the debate and refer the question to that committee afterwards.

Hon. Mr. YOUNG—It requires a substantive motion.

The motion was agreed to.

REPORTS OF THE GEOGRAPHIC BOARD OF CANADA.

INQUIRY.

The notice of inquiry being called:

By the Honourable Mr. Choquette:

Has the Geographic Board of Canada published every year a report of their deliberations? If so, was it published in French and English, if not, why?

Hon. Mr. LOUGHEED—The hon. member is not present, but I have the reply to this question and we might as well dispose of it. The hon. member will find the reply in the Senate Debates. The answer follows:

1. Yes. The first six reports were published in French and English. The seventh, eighth, ninth, tenth, eleventh and twelfth reports have been published in English but not in French.
2. No information in the Interior Department as to why not.

BOOKING AGENTS IN EUROPE.

INQUIRY.

The notice of inquiry being called:

By the Hon. Mr. Davis:—

1. How many booking agents does the Government employ in the British Isles and on the continent of Europe?

2. How much money has been paid out to them in the years 1911, 1912 and 1913, as bonuses and otherwise, giving details?

3. How much is allowed per head on emigrants forwarded to Canada?

4. What are the names of the corporations acting as booking agents in the British Isles, and what amount did they receive in the years 1911, 1912 and 1913, and how many emigrants did they forward to Canada, giving sex?

5. Are there any booking agents employed by the Government on the American continent?

Hon. Mr. LOUGHEED—The hon. gentleman is not present, but I have the answer ready and it is as follows:

1. There are 1,890 booking agents in the British Isles who receive from the Government bonuses upon farmers, farm labourers and female domestic servants sent to Canada. There are 54 similar agencies on the continent of Europe.

2. Fiscal year.	Bonus Payments to Booking Agents in British Isles.	Bonus Payments to Booking Agents on Continent of Europe.
1910-1911.. ..	$ 89,969 77	$10,516 86
1911-1912.. ..	109,942 87	10,638 53
1912-1913.. ..	110,422 02	8,239 25

3. Bonus of £1 on adults and 10 shillings on those between one and eighteen years of age is paid to British booking agents on farmers, farm labourers and female domestic servants sent to Canada. Same amounts are paid to certain selected continental booking agents on farmers, farm labourers and female domestic servants sent from France, Belgium, Holland, Denmark, Norway, Sweden and Switzerland.

4. This question refers to the agents mentioned in answer No. 1 and owing to amount of information required should be dealt with as a return.

5. Four agents in the United States are paid upon a commission basis.

ALDWYCH SITE IN LONDON.

INQUIRY.

Hon. Mr. POWER rose to—

Call attention to the scheme proposed by Earl Grey for the establishment, on what is known as the Aldwych site in London, England, of a Dominion House for the purpose of concentrating the offices of the self governing dominions and their various provinces, now distributed in different parts of the capital of the Empire, and inquire if the Government of Canada is prepared to give favourable consideration to the said scheme?

He said: I rise for the purpose of calling attention to this scheme of Earl Grey's, with which I suppose most hon. members are fairly familiar. Earl Grey's interest in the dominions, generally, is very keen, and the interest that he has shown, since he has ceased to be Governor General here, in the welfare of Canada, is a special sort of interest which calls for the gratitude of Canadians. Hon. gentlemen have probably noticed in the vestibule of the parliament buildings, a number of drawings prepared by an architect--Mr. Marshall, I think—showing what the proposed building on the Aldwych site is to be like, if the scheme of Earl Grey's should be adopted. They are very handsome pictures, but I wish to state for the information of hon. gentlemen that I am not in any sense responsible for their being put there. I am very glad they are on exhibition, but I have nothing to do with putting them there. Further, in the few remarks I intend to make I do not wish to commit myself to the particular building delineated in these plans and drawings. I shall just read from No. 4 of the pamphlets which Earl Grey and his associates have caused to be distributed. This I do not so much for the purpose of informing hon. gentlemen, who have already probably informed themselves on this subject, but for that limited section of the public who may read the Debates of the Senate. The first quotation I shall make is from page 8 of this pamphlet:

A great municipal improvement, involving a huge demolition of old property, has left a vacant space of about 124,000 square feet, approximating three acres, at the central meeting point of east and west . . . Where the Strand broadens into a lake, of which the curving Aldwych is the further shore, room has been left for a building, whatever it may be, which will be unsurpassed in the whole Metropolis for its command of the public eye. If one had to define the centre of London, taking into account the currents of traffic and the balance of a capital's diverse interests, this is the spot where it might be most justly located. The newspaper world of Fleet street joins hands here with the region of theatres and hotels. The law courts and the historic Temple are linked by the official archives of Somerset House with the ancient 'Precinct of the Savoy.' It is fringed at the radius of a stone's throw by such landmarks as Temple Bar, Waterloo Bridge, Cleopatra's Needle, Covent Garden, Holborn and Drury Lane. Its nearest neighbours to the east are the statue of Gladstone and the church of St. Clement Danes, and to the west the Gaiety and Lyceum theatres. Its great northern frontage of over 600 feet faces the spacious and stately Kingsway, while to the south it looks across a broad thoroughfare to the busy Strand. The environing scene is one upon which the ancient and the modern builder alike have bestowed all the dignity of their noble art. But the edifice which occupies the centre will be the riveting object of an area through which every stream of the metropolitan life flows, and will proclaim itself *urbi et orbi* in a fashion to which St. Paul's and the Palace of Westminster offer the only parallels.

Such is the site, then, upon which a great organ and a brilliant symbol of Empire may be

established. What is the design of those who have ventured to conceive the accomplishment of these aims? It is most succinctly stated in the following sentences from a letter which Lord Grey addressed last February to the Improvements Committee of the London County Council—

It would be possible . . . to concentrate on the Aldwych site the Dominion Government offices, now widely distributed in different parts of London. . .

It would also be possible to focus the attention of the home consumer more effectively on the quality of the products grown in our Oversea Dominions. . .

It would also be possible to include in the buildings to be erected on the Aldwych site, accommodation which would meet not only the official requirements of the Dominion Government, but the commercial and social needs of their respective peoples.

Taking these objects, *seriatim*, the concentration of Dominion offices in London upon one spot seems to commend itself for many reasons of practical convenience. At present the agencies of the various Dominions and their component states, or provinces are dotted all over the city proper, the Strand district and Westminster, with the result that business involving more than one of them has to be prosecuted with an irksome amount of travelling and a constant recourse to the directory. It may be added that in their sporadic state they fail to make any collective impression upon the mind of the community. There is not one Londoner in a thousand who would be able to name off-hand the location of a single Dominion's representative. This is a remarkable anomaly, considering how the personal and public ties between Great Britain and the outer empire have been multiplied of recent years.

The second purpose—that of a permanent exhibition of empire products—is of well-defined value, both for the extension of Dominion trade in the British market and for the guidance of emigration. Such displays upon special occasions have always attracted popular interest. In some cases they are regularly maintained upon a small scale, and undoubtedly attract attention, but the effect is altogether missed of a great central exhibition appealing by its range as well as by its quality, and presented under conditions which make it a matter of universal knowledge. The element of *éclat* is indispensable to the full effect of such efforts, and consideration of the present scheme will suggest the fundamental change in that respect which it would be the means of securing.

A further and most important object is to obtain a readier access for British manufacturers to the Dominion markets, and this would be effectively promoted by a permanent and continually revised exhibition of articles in use in the Dominions, along with an information bureau upon all those matters of traffic, transportation and trade facts, which so greatly affect the facilities of inter-Imperial commerce. Such an institution would be for the exclusive use of the members of approved Manufacturers' Associations, and its services would not be at the disposal of foreign competitors and their representatives.

That is the scheme, and the three substantial reasons why it should be adopted. Then this Foreword goes on, a little further down:

To some extent, at any rate, the aspirations of the promoters will be fulfilled, since the ground adjacent, on the eastward, to the vacant area, has been taken by the Government of the Australian Commonwealth, for the erection of its offices, at a total cost of between £600,000 and £700,000.

That suggests one consideration which I think should tend to dispose the Government to look favourably upon the scheme. One of our great rivals in England—of course the rivalry is of a friendly character—is Australia, which has secured a portion of this central site; and if Canada, South Africa and New Zealand lag behind and do not secure the remainder of the site they will be at a very considerable disadvantage in competing with Australia for immigrants from the old country, and for business with the old country. The business aspect, the financial terms, are spoken a little further on, as follows:

The London County Council, who are the owners of the soil, have agreed to grant a ninety-nine years' lease at a rental graduated up till the fifth year, when it will reach the permanent rate of £50,000, or the freehold may be purchased for £1,300,000, with interest on that sum calculated at 3½ per cent per annum from the 24th June, 1913. Meanwhile the option is vested in a syndicate with the title of 'The Dominion Site, Ltd.'

Hon. Mr. CASGRAIN—You did not mention the area.

Hon. Mr. POWER—Yes. 124,000 square feet, nearly three acres. That is the scheme; and what is the present condition of things? Take Canada and her provinces—I leave out South Africa and New Zealand—and Canada's principal office, the office of the High Commissioner of Canada, is at No. 17 Victoria street. Most of the hon. gentlemen here have been in London recently, and I think every one of them will bear testimony that the office is not, either in its character or in its locality, the kind of office that Canada should have.

It is in a comparatively remote situation, and requires a considerable time to reach; it does not catch the eye of the ordinary London citizen at all. The building is not conspicuous, the situation is not a desirable one, and the offices themselves are the reverse of attractive. Then Canada has another immigration building in Trafalgar Square. That is a fairly central locality; but, of course, every one can see that all the Canadian offices should be together. Then the province of New Brunswick has

an office in Southampton Row on the Strand, and Nova Scotia has an office in Pall Mall, and that is an office one might almost fall over without realizing that there was such an office there. Prince Edward Island has an office at Ashley Gardens, Westminster. Quebec has an office at 36 King's Way; British Columbia has an office in Salisbury House; and the Ontario Immigration offices are at 163 Strand. It does not require any argument to show that it is a desirable thing, if practicable at all, that these offices should be consolidated. I do not propose to quote further at any length from this pamphlet, but I shall just give one quotation from the London Times as follows:

> Australia having already bespoken a part of the site, it lies now with Canada, South Africa and New Zealand to consider Lord Grey's scheme. The more they do so, the more we believe, will they appreciate the great advantages which it presents. The Dominions have surely nothing to gain and much to lose by setting up their Central London offices in different parts. They cannot separately, however much they spend, raise such an emblem of their vast resources and wealth as might be built if Lord Grey's vision is realized by altogether on this single central site. The aim of each in raising London offices is the aim of all. It can be carried out far more impressively by joint effort than in any other way. The difficulty besetting such ideas as Lord Grey's is always that they are called visionary and so left unconsidered until too late. But Lord Grey's enthusiasm is usually too strong for such treatment to depress. It carried him triumphantly to success in what seemed at first the very visionary idea of persuading British and French in Canada to hold a common festival and make a common possession of the fields of Abraham—an idea so striking that it was ultimately supported by generous subscriptions from New Zealand and other distant British communities. The present scheme is certainly not less worthy of attention, and, we believe, of support.

Now, this scheme, if carried into effect, apart altogether from the convenience to Canadians, and other Colonials who visit London—if I may use the expression Colonial,—would be a great advertisement to the Dominion. The site selected by Earl Grey is really, as the Foreword which I have read from states about as central a position as there is in the whole city of London. I do not suppose there is a single site in London where a larger proportion of the eight million inhabitants of that capital would be more likely, or as likely, to notice the Dominion buildings, as on this Aldwych site.

As every hon. gentleman must have noticed there are scores of extracts from the English and the Colonial newspapers cordially endorsing the scheme of Earl Grey. In addition hon. gentlemen probably noticed that yesterday in Toronto the Associated Boards of Trade of the province of Ontario adopted a resolution recommending this scheme to the favourable consideration of the Government. I have not seen anywhere, and I have not heard from any one, any objection to this scheme of Earl Grey's. I suppose the only real objection is the cost. Well, Canada of late has not been very much given to counting the cost of improvements. If any step is looked upon as an improvement, we take the step as a matter of course. No doubt £1,300,000 is a considerable sum to pay for a site, but I believe that, in the course of a very few years, Canada will be recouped for the expenditure in the increased business done with the old country and in the increased emigration directed towards Canada from these central offices. Hon. gentlemen know that I am not, as a rule, an advocate of what might be called extravagant expenditure, and I am not very much of a Jingo; but I think that the present condition of things with respect to the offices of the Dominion and its provinces in London, is the reverse of creditable to Canada. If we have to make a move; if we have to obtain a central site for our buildings, and consolidate all these offices, trade rooms, and so on in one place, we may never have a chance to get a site so admirably suited as this, for the purpose.

Hon. Mr. BEIQUE—As the hon. gentleman who has just spoken has said, I think that Earl Grey deserves to be commended for the continued interest which he is giving to all that concerns Canada, and his opinion on the question now before this honourable House, would go a long way toward influencing me as to the proper course to be taken. With the limited knowledge I have of the city of London and the site to be acquired, I have no hesitation in saying that the present site of the Dominion's offices should be changed if possible, and I approve of the idea of grouping together all the offices of the different colonies, and locating them in a central place. The site which has been mentioned appears to me a proper place for the offices of the Dominion. As to whether the amount demanded for the site is reasonable or not, I am not qualified to express an opinion. I have no hesitation in adding however, that it seems the duty of the Government to take up the

question in a vigorous way and decide whether that site should be secured; and if not what other site should be purchased. The Government should try to act in conjunction with all the other overseas dominions. I entirely agree with the expression of opinion which has fallen from the lips of the hon. gentleman from Halifax, except as to committing myself as to whether the price of the site is reasonable or not. I repeat I have not sufficient information as to that, but I hope the Government will see its way to giving attention to this very important question, with a view to solving it in the best interests of the Dominion.

Hon. Mr. CASGRAIN—If I am correctly informed the proposed site is immediately in front of the Waldorf hotel where the hon. member from Belleville, Halifax, and myself stayed for two weeks, and had an opportunity of looking over this site. It seems to be in the very centre of London. The hon. gentleman from De Salaberry has raised the question of price: It seems to me that it is very cheap—cheaper than any corresponding site in the heart of Montreal.

Hon. Mr. CLORAN—How much?

Hon. Mr. CASGRAIN—About £10 or $50 per square foot. Land on St. James St. in Montreal has sold for $75 per square foot, and one would naturally expect that land in the heart of London would be more expensive. Possibly a special price has been fixed as a favour by the county council of London. I think the country would benefit by grouping the offices of the overseas possessions in London. Instead of sending commissioners travelling to South Africa or Australia they would just have to go from one part of this central building to another to transact business with all their overseas dominions.

Hon. Mr. BOYER—I had occasion recently to visit the Dominion offices in London in company with a friend. The first thing I heard him say when walking into the building was 'Oh what dingy buildings.' We were referred by the Commissioner's office to the Emigration office in Whitehall, and from Whitehall to the Imperial institute in Kensington. Shortly afterwards, meeting an old friend of mine in London, Sir John Tavenor, High Commissioner for South Australia, he took me to their new buildings in the Strand. They were formerly neighbours of ours on Victoria street, but have lately opened what might, in commercial terms, be called a new shop. On the first floor were the commissioners' offices, reading rooms, and reception rooms; on the second and third floors were magnificent reception rooms, offices, and a museum. Sir John Tavenor told me himself that the rent they paid for the new offices, having bought the land from the London county council, amounted to a trifle more than the rent they used to pay at Victoria street. Everybody who has been to London will admit with me that the present Canadian commissioner's offices are not a good advertisement for Canada. If you go in there at two o'clock in the afternoon to look over a newspaper you have to do so either by electric light or gaslight.

Hon. Mr. DANDURAND—Hear, hear.

Hon. Mr. BOYER—Canada has come into the sunlight lately; why should we not try to get in our offices in London, as much sunlight and advertising as possible? We have spent enormous sums of money in exhibitions throughout the world, and are doing it yet, but a permanent exhibition under one roof in London would, I think, be an excellent thing for Canada.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. BOYER—We owe a debt of gratitude to Earl Grey, of whom I must say I am a great admirer. He favoured Canada with a wise administration, and initiated, in the province of Quebec, a certain stimulus in national pride, having been the first to suggest a monument to the memory of Madeleine de Verchères on the shores of the St. Lawrence river. That idea has been successfully carried out, and to-day everybody navigating the St. Lawrence from Quebec to Montreal is bound to pass that monument and to study the history of the heroine whose statue Earl Grey suggested. We need new quarters in London and I think it would be a recognition of the debt of gratitude from Canada to Earl Grey to pick up his idea. This site, which is within a stonesthrow of all the great monuments of London, on the greatest thoroughfare of London, the Strand, would give Canada a very good advertisement, and, I should think, would not cost us any more than having an emigration office in one corner, and the commissioner's office in another. At present there are, in London, sixteen different offices belonging to the Dominions. If they were united in a friendly competition under the same roof, it would bring

about a friendliness among them; and a comparison between the different products of the different countries, would not only be instructive to the Dominions themselves but would teach all the other nations a great lesson in regard to the productions of the different colonies. For these reasons I am strongly in favour of new offices in London, and of following Earl Grey's idea, because I think it would be paying him a tribute of gratitude for the wise government he has given us in the past.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. LOUGHEED—I think I am warranted in saying that the general opinion is that our offices should be removed from Victoria street to more commodious and central quarters. This is a matter that has received the attention of the Government for some time past. The late high commissioner was very much impressed with the necessity of Canada taking some steps in the direction of acquiring a property and erecting a building in the heart of London. He was very much attracted to another site; that is to a site other than the one which we are now discussing; and very considerable communication took place between Lord Strathcona and the Government of Canada respecting the site to which I allude. Some of the members of the Government, when in London last season, inspected that particular site. In the meantime Earl Grey suggested the scheme which my hon. friend from Halifax has submitted this afternoon, but it was not until recently—within the last few weeks—that this scheme was placed officially before the Government. At the instance of Earl Grey, Lord Chelmsford and Mr. Bond of London, came out to Canada a short time ago with those sketches which have been exhibited in the corridor and submitted the scheme to the Government, and explained the project which Lord Grey has in view. The matter is now before the Government. Nothing has yet been done respecting that scheme. I may say, however, that the Government is deeply impressed with the necessity of doing something. The scheme unquestionably is an attractive one, and one which would commend itself doubtless to a very large number of people in the Dominion of Canada, but up to the present time the Government is not committed to one scheme or the other, but is giving its best consideration to the advisability of seriously taking up the subject of securing, as I have stated, more central and commodious quarters in the city of London for Canadian offices.

THE CONTINGENT ACCOUNTS OF THE SENATE.

MOTION.

The Order of the Day being called:

Consideration of the motion of the Honourable Mr. Power:—

That the Standing Committee on Internal Economy and Contingent Accounts be authorized to meet when and as often as it may deem necessary and, without special reference, to inquire into and report upon such matters connected with the internal economy of the Senate as it may think in the interest of the House and the point of Order raised by the Honourable Mr. Bolduc thereto.

The SPEAKER—If the House will permit me—

Hon. Mr. POWER—I do not suppose His Honour the Speaker will object to my making a brief statement of what has taken place in connection with this matter, because it came up for only two or three minutes some considerable time ago, and hon. gentlemen have probably forgotten what the position is.

The SPEAKER—I suppose the hon. gentleman knows that he is taking up the matter in a very irregular way now.

Hon. Mr. POWER—I am not so clear about that.

The SPEAKER—It has arrived at this point, that the discussion was closed, and my decision was to be given. If the hon. gentleman wants to re-open the debate, I have no objection, but it must be with the leave of the House.

Hon. Mr. POWER—Then, with the leave of the House. If we were speaking now, just after the question of Order had been raised, I should not attempt to say anything, but honestly it is so long since the question was raised—and I know there are some hon. gentlemen who do not know just what the question of Order is—I think it is just as well to bring the matter up again.

The SPEAKER—But that is not the question at all. The question is whether I am ready to give my decision. The debate has been closed and the principle the hon. gentleman invokes is not a parliamentary one at all. If the discussions which have

been closed must be re-opened, because one or two members were absent, we would never be finished. I have no objection to re-opening the discussion, but I want it done with the consent of the Senate, and only as a matter of courtesy and not as a right.

Hon. Mr. POWER—I am under an obligation to His Honour for agreeing to waive the strict rule in the matter, and I have very little to say. I think perhaps some other hon. gentleman may have something to say. At page 32 of the Minutes I find the following motion:

The Honourable Mr. Lougheed, moved, seconded by the Honourable Sir Mackenzie Bowell,

That the senators mentioned in the report of the Committee of Selection as having been chosen to serve on the several Standing Committees during the present session, be and they are hereby appointed to form part of and constitute the several Committees with which their respective names appear in said report, to inquire into and report upon such matters as may be referred to them from time to time; and the Committee on Standing Orders is authorized to send for persons, papers and records whenever required.

The question of concurrence being put thereon, the same was resolved in the affirmative, and

Ordered accordingly.

That was on January 22. On the 23rd January, at page 44, the hon. leader of the House moved that a message be sent to the House of Commons with regard to the joint committees, and the various standing committees reported their chairman, and the reduction of the quorums. Then I made the following motion:

That the Standing Committee on Internal Economy and Contingent Accounts be authorized to meet when and as often as it may deem necessary and, without special reference, to inquire into and report upon such matters connected with the internal economy of the Senate as it may think in the interest of the House.

After debate.

A point of Order being raised by the Honourable Mr. Bolduc to the effect that this motion is in contradiction of a motion on the same subject which was adopted by the Senate yesterday.

His Honour the Speaker asked that he be permitted to take the matter *en délibéré*.

And that was accordingly done, and now this motion of mine appears on the Order Paper. I just wish to say that while there may be some question as to the power of the committee to deal with a matter that has not been referred to it, there can be no question as to the power of the Senate to deal with any matter affecting the administration of the business of this House. If the Senate chooses to authorize a committee to deal with any matter that comes within the purview of the Senate itself, the Senate has the power to do it. That is my contention in brief. The Senate had undoubtedly the power to deal with the matter referred to in my notice and resolution, and it has the power to give that authority to the committee. What is the substance of the resolution? It is that the committee be authorized to do certain things, which without a special authorization, it could not do under the strict rule. My contention is that the House has the power to instruct or authorize any committee to deal with any subject the House chooses to refer to it, and of course we must remember that a committee does not deal with a matter finally. The committee simply inquires and reports to this House, and whatever it reports has to be confirmed by the House. It will be seen that any other view of this matter would involve us in endless difficulty and inconvenience. I refer to May at page 383. This refers to a committee of the whole House, but like rules apply to other committees. The following is from May:

A committee can only consider those matters which have been committed to them by the House. If it be desirable that other matters should also be considered, an instruction is given by the House to empower the committee to entertain them. An instruction should always be moved as a distinct question.

And so on. Then at page 400 May says that the rules that apply to Select committees, apply generally to Standing committees:

The proceedings of every Select Committee are restricted to their own order of reference: that is to say, they are confined to the consideration of the matter referred or the Bill committed to the committee, but when it has been thought desirable to do so, the House has enlarged the order of reference. This has been done in the case of a Select Committee upon a public matter by means of an instruction, which may be made by an independent motion.

Mine was an independent motion. Then, Bourinot, at page 652, says:

Considerable misapprehension appears to exist as to the meaning of an instruction. An instruction is given to a committee to confer on it that power which, without such instruction, it would not have. If the subject-matter of an instruction is relevant to the subject-matter and within the scope and title of a bill, then such instruction is irregular since the committee has the power to make the acquired amendment.

Then on page 656.

According to the modern practice of Parliament an instruction to a committee is not mandatory, and it is therefore customary to state explicitly in the motion, as shown above, that the committee have power to make the provision required in the Bill. For, as stated by Mr. Speaker Denison, the intention of the instruction is to give a committee power to do a certain thing if they think proper, not to command them to do it.

I shall not trouble the House any further. I am very much obliged to the House generally and to His Honour the Speaker for having been given an opportunity to state the matter briefly. The point is just this, that the House must have the power to instruct a committee to attend to matters which are really, and which have been considered in the past to be, within the sphere of the Committee. I have been a Member of the Internal Economy Committee for a great many years, and that Committee has always dealt with matters affecting the Internal Economy of the House, without special reference to each case, and it would be, at least, a great inconvenience if we had to get authority for every little matter that we may wish to deal with. As I pointed out before, nothing that the House can do, can seriously affect the power of His Honour the Speaker to make nominations to appointments.

Hon. Mr. BOLDUC—On the 22nd of January last the following resolution, moved by the Hon. Mr. Lougheed and seconded by the Hon. Sir Mackenzie Bowell, was adopted:

That the Senators mentioned in the report of the Committee of Selection as having been chosen to serve on the several Standing Committes during the present session, be and they are hereby appointed to form part of and constitute the several Committees with which their respective names appear in said report, to inquire into and report upon such matters as may be referred to them from time to time; and the Committee on Standing Orders is authorized to send for persons, papers and records whenever required.

If the hon. gentleman had pointed out a special case that he wanted to have referred to the Internal Economy Committee he would have been in perfect order, but he is not in order in making a general motion that anything may be taken up by the Committee and discussed, and reported upon to the House. Imagine what would happen if all the Committees had such powers. Any member of the Committee could bring up any question that he chose, and ask the committee to decide upon it and make a report to the Senate. We understand very well the difficulties which arise when a committee makes a recommendation, and the House refuses to accept the decision of the committee. I repeat that after having adopted unanimously the motion which I have quoted, it is out of order for any member to move a resolution like the one which has been presented by the hon. gentleman from Halifax. Any time a member of this House wishes to have a matter brought before the Committee on Contingent Accounts, he is at perfect liberty to do so. Without saying anything more I am willing to abide by the decision of the Speaker.

Hon. Mr. THOMPSON—I did not take any part in the discussion on the 23rd of January, of this question, but I followed the debate; and I understand that the objection now made to the motion of the hon. senator from Halifax, is that the adoption of the resolution moved by the hon. leader of the House on January 22 practically precludes this House from acting in respect of this resolution. First, let me say that the matters which are dealt with by the Committee on Internal Economy and Contingent Accounts are nothing other than domestic affairs, having regard to the proper conduct of the whole business of the House. The work of that committee, which is composed of twenty-five members, is to inquire into and become possessed of facts and knowledge this House could not get in any other form, and present others for the consideration of the House. The character of the work they have to deal with is of such class that the House ought to be quite willing to place it in their hands, not for its absolute and final determination—because this resolution does not ask for that—but for the purpose of making inquiries in respect to it, and reporting back to this House for action, either by way of confirmation or, if not meeting their approval, for their special objection to it. That is the only ground on which the hon. senator from Lauzon made objection to the passage of this resolution. I would like to read this resolution, just as the hon. member from Halifax has presented it to the House:

That the Standing Committee on Internal Economy and Contingent Accounts be authorized to meet when and as often as it may deem necessary.

Certainly there is nothing serious in that. We meet in a committee room. Surely this Senate would not object to our meeting. In going that far I should imagine there

would be no such disposition, or in the resolution adopted on January 22, there would be nothing to prevent our committee meeting. Then the resolution proceeds:

—and, without special reference, to inquire into and report upon such matters connected with the internal economy of the Senate as it may think in the interest of the House.

It could not be any more simple and less objectionable, that this committee, desirous of having these matters thoroughly ventilated and understood both as to the organization of the staff and the work of the staff, should ascertain all these facts and come back to this House:

After investigation and report we find such and such things, and we make certain recommendations.

and the House would have the power, to accept or reject the report.

Hon. Mr. WATSON—Convenience and common sense.

Hon. Mr. THOMPSON—According to some quotations to be found in the Senate Debates, this course was objected to on the grounds that Bourinot said it would e improper for the House to deal with this question. References were made at the time at page 452, which reads as follows:

The old rule of Parliament reads that a question being once made, and carried in the affirmative or negative, cannot be questioned again, but must stand as a judgment of the House.

The resolution that was adopted in this House on the motion of the leader of the House in no sense restricted the action of the Senate. However, just as a matter for argument, assuming that there was an element of restriction in that resolution—then the reference to Bourinot might in a sense carry out the view that having once established it cannot be questioned again. I am willing to admit that the hon. Speaker, when he drew attention to that view of Bourinot, was only desirous of presenting to the House the facts in relation to the government of this House by its rules and practice; but my hon. friend in quoting at the time from page 452 omitted a very important part of what Bourinot said. He left out the very essence that ought to have been presented to the House so that in forming their judgment they could know exactly Bourinot's opinion in respect to the powers of the Senate in dealing with this question. It says on page 452:

It is, however, an ancient rule of Parliament that no question or motion can regularly be offered if it is substantially the same with one on which the judgment of the House has already been expressed during the current session.

Now, by the arguments advanced to the Senate, it is a restrictive resolution that was adopted by this House on the motion of the hon. leader. Is this resolution a restrictive resolution? Is it substantially the same resolution? Why, it is diametrically the very reverse of that. We are extending and enlarging, not restricting, the scope of the committee; and in my judgment that feature of it is the important view that Bourinot entertains, to govern this House. We assert that that resolution now being considered is the reverse, and not substantially the same as the resolution adopted by Senate, January 22nd. Then, we have another authority here which governs parliamentary practice and which in a large measure informs this House as to what should be the practice here. May says on page 301.

Sometimes the House may not be prepared to rescind a resolution but may be willing to modify its judgment by considering and agreeing to another resolution relating to the same subject.

Now, there are both sides of the issue. Bourinot says it was questionable whether Parliament should have taken any action in respect of that resolution, if the resolution were substantially the same, and passed during the current session. But May believes that, even if that were the case, the House might change its opinion and in a measure modify its opinion in respect to that one question.

Hon. Mr. DANIEL—That would be on a reconsideration.

Hon. Mr. THOMPSON—On a reconsideration of that one subject. Apart from that, let me say that the House has already afirmed the very position covered by the motion of the hon. senator from Halifax. Only last year this House adopted a resolution which reads as follows:

That all positions in the lower grade of the staff of the Senate which is, in the opinion of the Justice Department above quoted, or exempted from the provisions of the Civil Service Amendment Act of 1908 necessarily of a temporary character, the payment for such service being fixed on a per diem basis be made by the Committee on Internal Economy and Contingent Accounts upon the requisition of the clerk of the Senate and based upon a report in writing of the housekeeper, in all cases where such appointments form part of the staff under his control.

The House last year affirmed more than is asked by this resolution of the hon.

senator from Halifax, which only asks that we shall have the privilege, without a reference from the House, of considering and determining questions that belong to the domestic and internal affairs of the Senate, and reporting back to the Senate through the Clerk of the Senate.

The SPEAKER—Is the quotation the hon. gentleman has just made a report from the Committee on Internal Economy ?

Hon. Mr. THOMPSON—It is a report of the Committee on Internal Economy adopted by this House.

The SPEAKER—It was a report.

Hon. Mr. THOMPSON—These were resolutions.

The SPEAKER—The resolution was taken by this House upon a report of the committee ?

Hon. Mr. THOMPSON—Yes, on the 31st day of January, 1913. Let me go further. There are two branches of Parliament—the House of Commons and the Senate. The Internal Economy Committee, House of Commons, is in possession of every question of a domestic character without reference to the House, and the House only gets in possession of what the members have deliberated upon, by their report. As reported in the 'Hansard,' only the other day, one gentleman called attention to the existence of an employee of the House for forty-seven years, yet no member took the responsibility of moving that the matter should be referred to the Internal Economy Committee of the House. They called it to the committee's attention, and this whole question of domestic policy or domestic affairs of the House is dealt with by the Committee on Internal Economy, and is then brought to the attention of the House.

Hon. Mr. POWER—It is a commission, not a committee.

Hon. Mr. THOMPSON—It is called the Committee on Internal Economy and Contingent Accounts. The members are appointed by the Government, but have absolute control. Looking back over the practice of the House, from time immemorial this committee has been charged with the important trust and duty of looking after all matters of a domestic character of the Senate; and I cannot understand how this resolution, in itself, can at all interfere with the original practice of the House or with the rights of the Senate.

Hon. Mr. DAVID—I have not formed any opinion yet on this question, but in order to know exactly what to think on it, I would ask whether the Deputy Minister of Justice did not last year decide, or express the opinion, that as regards certain matters, the Committee on Internal Economy has the same right as it had before the law which was passed three years ago as to the Civil Service ? Then, if the committee has the same rights as it had before, what is the use of this motion? Could not the Committee on Internal Economy investigate a certain matter which it has a right to investigate, and report to the Senate without a resolution of this nature?

Hon. Mr. THOMPSON—It is contended that we would not have this right, because of the resolution adopted, on the motion of the hon. leader of the House. To-day, it is objected that we are precluded by the terms of that resolution. In respect to the other matter, the Deputy Minister of Justice only affirmed certain features of the Civil Service Act, which left the Senate the original practice that had been exercised prior to the passing of that Act. The committee does not ask to interfere with the Speaker's rights so far as he possesses them under the Civil Service Act, or with the rights of any other officers of the House.

The SPEAKER: I must confess that in allowing this discussion to go on, I expected that new light would be thrown on the subject, but all I gather from the discussion that has taken place this afternoon is that we are considering the powers of the committee, and the power of the House to give instructions to the committee. I never denied that. The House has power to give any instruction to a committee, and the committee itself receives the references from the House. Any question that goes to a committee is sent to that committee by the House, and is not taken up by the committee itself. That is the case with all committees; they take up such questions as are sent to them by the House. I do not see, speaking in a general way, that there is any objection to the Internal Economy Committee taking up any matter that may be referred to it. As the hon. gentleman from Halifax has done himself, when he rose to speak to-day, I want to refresh the memory of the House as to past events. I have taken the trouble in the decision I am about

to give, to relate all the events which have taken place, so that everybody may understand the point of order and my decision.

On the 22nd of January last, the Hon. Mr. Lougheed moved, seconded by the Hon. Sir MacKenzie Bowell:

> That the senators mentioned in the report of the Committee of Selection as having been chosen to serve on the several Standing Committees during the present session, be and they are hereby appointed to form part of and constitute the several committees with which their respectives names appear in said report, to inquire into and report upon such matters as may be referred to them from time to time; and the Committee on Standing Orders is authorized to send for persons, papers and records whenever required.
>
> The question of concurrence being put thereon, the same was resolved in the affirmative, and. Ordered accordingly.

By this resolution the House has limited the powers of the different committees to inquire and report solely upon matters referred to them from time to time. A reference is consequently necessary. It is the House itself which sets the committees in motion by its references. The House, in that way, has affirmed that no committees can initiate by themselves the study of or the report upon matters which have not been specially referred to them. This is the general rule applicable to all committees, and, furthermore, the House, when dealing with the Committee on Standing Orders, has given, at the same time, to that special committee, the additional power to send for persons, papers and records whenever required.

It is the special duty of that committee to inquire into such papers and records precisely to ascertain if all the rules of this House have been complied with in the introduction of private Bills. This power is more essential than additional. At all events, it is given the same day and in the same motion, and in no way does it clash with the general instructions given to all the committees.

The motion alluded to constitutes a sessional order given every year by this House to all the select committees at the beginning of each session, and defines by itself the limited powers imposed upon them.

After that motion had been carried, the next day, the hon. senior member for Halifax gave notice of the following:

> That the Standing Committee on Internal Economy and Contingent Accounts be authorized to meet when and as often as it may deem necessary and, without special reference, to inquire into and report upon such matters connected with the internal economy of the Senate as it may think in the interest of the House.

This proposition of the hon. senior member from Halifax is quite a departure from what has always been the practice of this House, and seeks to introduce a procedure fraught with the greatest dangers, inasmuch as at any particular time a mere quorum of the Committee on Internal Economy, having the power to report upon such matters connected with the internal economy of the Senate, may, without special reference, spring upon this House reports of the gravest and most dangerous character. But this is more a question of policy than a question of order.

Referring to the point of order raised by the hon. member for Lauzon on Friday, the 23rd of January last, point of order which sets forth the conflicting character of the hon. member for Halifax's motion, intending to give to the Committee on Internal Economy the power which was denied to it by the motion—adopted the previous day—of the leader of the Government, and which empowers all committees to report only upon questions specially referred to them, I have arrived at the following conclusion.

As I have already said, in comparing these two motions, I find that by the first one the Committee on Internal Economy is prevented from making any report except on questions specially referred to it. On the other hand, by the motion now before me, the Committee on Internal Economy would be authorized to make any report it chooses, on any question connected with Internal Economy as they may think in the interest of the House, without any previous reference of such questions by the Senate to the committee.

In other words, in one place the committee, in a general way, as all the other committees, is debarred from a certain power which is afterwards intended to be granted to it by this motion.

To put the whole thing in a nutshell: you cannot report, says one motion, on things which have not been specially referred to you; you can report, says the other motion, on things which have not been specially referred to you.

It has been said that the motion, pointed out as irregular, was not conflicting with the motion already adopted, but that it merely added new powers to those already granted.

I have no doubt that the new powers intended to be given are additional, but such an addition carries with it, in favour of the Committee of Internal Economy, the removal of the restriction imposed to all the committees in general, of which the Committee on Internal Economy forms part, and in removing such a restriction, it places the Senate in this peculiar position—that it would negative to-day what it asserted yesterday.

The reference made by the hon. member for Halifax to the additional powers subsequently granted by this House to the Committee on Standing Orders has nothing to do with the present case. The House certainly gave, as it had the right to do, more powers to one committee than to another; but such powers were merely additional, and in no way conflicted with the principle itself of the constitution of those committees. In this case, the principle approved of in the formation of all committees was that no committee could report on questions which had not been referred to it, and the proposed motion to which objection has been taken, edicts the contrary.

In other words the Senate is called upon to negative to-day what it asserted yesterday.

I have already quoted Bourinot who says, page 452:

> The old rule of Parliament reads that a question being once made and carried in the affirmative or negative cannot be questioned again, but must stand as the judgment of the House. Unless such a rule were in existence, the time of the House would be constantly frittered away in the discussions of motions of the same nature, and the most contradictory decisions would be sometimes arrived at in the course of the same session.

In my humble opinion, the point of order is well taken. As to the last reference made by the hon. gentleman from Fredericton he will see that the House has the power to do what it likes, but there is a way to do it, and it is not this way that it should be done.

Hon. Mr. POWER—I have the honour to move, seconded by the Hon. Mr. Young, that the decision of His Honour the Speaker, be not concurred in.

The SPEAKER—That is what I expected.

Hon. Mr. DANIEL—I should like—

The SPEAKER—The appeal from the decision of the Chair is made without any discussion. All the discussions took place previously, either here or in the lobbies.

Hon. Mr. WATSON—The lobby or the Speaker's quarters.

The SPEAKER—I beg pardon, it is not the case for me.

The House divided on the motion, which was adopted. (Contents, 26. Non-contents, 11.

Hon. Mr. POWER—I have the honour to move the resolution which is on the Order Paper.

Hon. Mr. KERR—It appears to me perfectly plain that when we appointed the Internal Economy Committee we had the power to clothe it with all the authority we chose to give it. We could have given it the very authority which is now being given by this resolution, and if we had done so there would have been no question about the power of that committee to conduct the inquiry in that way, and to make its report as the resolution proposes.

The SPEAKER—I think the hon. gentleman is discussing my point of order in an indirect way.

Hon. Mr. KERR—No.

The SPEAKER—I think the hon. gentleman is not entitled to give his opinion on a point of order which has been decided. It was ruled that the motion of the hon. gentleman from Halifax was out of order.

Hon. Mr. KERR—But the House did not agree in the Speaker's ruling, and therefore the question is just as much at large as if the hon. Speaker had not given a ruling.

The SPEAKER—I beg pardon.

Hon. Mr. KERR—I do not think there is any question about that, and I say it with all deference to the Speaker's ruling, and I do not show any disrespect in that way. I am just giving my reasons, which may be good or bad. I say, therefore, that it was open to the Senate to have clothed this committee with the authority, which is proposed here, and not having done so, it is competent for the Senate to appoint some other committee witih this authority, or to confer this authority upon that particular committee. The members have chosen, by the motion before the House, to give the authority to that particular committee, and having done so, it seems to me

it is quite open to us to say whether that is a proper or an unreasonable authority to give them.

Hon. Mr. DANIEL—In regard to the motion which we have before us, I am no lawyer, and can only take my view of what may be considered right or wrong, as far as points of order are concerned, but the stand which has been taken by His Honour the Speaker appears to me to be correct, and under those circumstances, feeling that, although a member of the Internal Economy Committee, and one who would naturally have faith in the committee, and believe that that committee would do what is right, I would naturally like to vote for that resolution. But from the stand which has been taken by His Honour, which I believe personally to be the correct stand, as far as the point of Order is concerned, it appears to me we are pursuing the wrong course, if we wish to give the Internal Economy Committee the power which this resolution proposes to give them when passed. To my mind it would appear to be more natural to have this resolution withdrawn and a notice for the reconsideration of the resolution which was introduced by the leader of the Government, and passed on January 22. By reconsidering that we can give the Internal Economy Committee, if the House so rules, the power which the majority thinks they ought to have. That would be my view of it.

The motion was agreed to, on a division.

VACANCIES ON THE STAFF OF THE SENATE.

MOTION.

Hon. Mr. POWER moved that the communication of His Honour the Speaker with respect to vacancies on the staff of the Senate be referred to the Committee on Internal Economy and Contingent Accounts. He said: My recollection now is that the hon. the Speaker made a recommendation as to one vacancy and made no recommendation as to the other vacancy. This is to refer the communication dealing with both vacancies to the Committee on Internal Economy and Congent Accounts for the purpose of reporting to the Senate.

The SPEAKER—There is only one communication.

Hon. Mr. POWER—I was under the impression, although His Honour is more likely to be right about it, that the Speaker had in his communication referred to two vacancies, to one of which he made a recommendation, and to the other he did not.

The SPEAKER—Yes, there is only one communication and one recommendation.

Hon. Mr. POWER—It speaks of only one communication—a communication with respect to vacancies on the staff of the Senate.

Hon. Sir MACKENZIE BOWELL—I should like to ask what object there can be in referring this particular question to the Committee on Internal Economy. If I understand the provisions of the Civil Service Act which govern this particular matter, authority is given to the clerk to make a report, and the power rests with the Speaker of the Senate to make a recommendation to the Senate, which recommendation the Senate can adopt or reject. Unless the Internal Economy Committee desire to ascertain whether the gentleman recommended to fill the position mentioned is capable of performing his duties; I cannot understand what possible object there can be in referring the matter to the committee. Let me suppose for a moment that the committee disagrees with the recommendation made by the Speaker and so reports to the Senate, would that be in order or would the Senate have a right to adopt such a report unless it met the approval of the Speaker? The Senate is just as capable now to decide this question as though it had been referred to a dozen committees. Most of us know the gentleman who has been recommended by the Speaker. I doubt if there is a man in the whole Civil Service who is so well fitted for that position as Mr. Grosse. If the hon. gentleman can give any reason for referring this matter to the committee, I am prepared to consider it, but in the absence of any reason I can see no ground for it, unless the report of the Clerk is referred also. The Speaker in his wisdom, for what reason I do not know, recommends only one appointment. Whether he intends to come down with a second recommendation for the other, will be disclosed in the future.

The motion was agreed to, on division.

SECOND READING.

Bill (C) An Act to incorporate the Atlin Railway Company.—(Hon. Mr. Davis.)

BILLS INTRODUCED.

Bill (11) An Act respecting the Burrard Inlet Tunnel and Bridge Company.—(Hon. Mr. Bostock.)

Bill (13) An Act to incorporate the Central Western Canada Railway Company.—(Hon. Mr. Pope.)

Bill (15) An Act respecting the Grand Trunk Railway Company of Canada.—(Hon. Mr. Kirchhoffer.)

Bill (16) An Act respecting the Lachine, Jacques Cartier and Maisonneuve Railway Company.—(Hon. Mr. Casgrain.)

Bill (17) An Act respecting the Ottawa, Northern and Western Railway Company.—(Hon. Mr. Gibson.)

Bill (18) An Act respecting the Tillsonburg, Lake Erie and Pacific Railway Company.—(Hon. Mr. Gibson.)

Bill (19) An Act respecting the West Ontario Pacific Railway Company.—(Hon. Mr. Gibson.)

Bill (20) An Act respecting the Canadian Pacific Railway Company.—(Hon. Mr. Gibson.)

Bill (30) An Act respecting the Grand Trunk Pacific Railway Company.—(Hon. Mr. Kirchhoffer.)

Bill (31) An Act respecting the National Transcontinental Railway.—(Hon. Mr. Lougheed.)

Bill (43) An Act respecting Queen's Univercity at Kingston.—(Hon. Mr. Taylor.)

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

Friday, February 27, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (E), An Act to incorporate the National Council of Women.—Hon. Mr. Kerr.

Bill (F), An Act to incorporate the United Empire Life Insurance Company of Canada.—Hon. Mr. Derbyshire.

DELAYED RETURNS.

Hon. Mr. DAVIS—Can the hon. leader of the House tell me when I may expect the return which I moved for on the 19th February, as follows:

That an humble Address be presented to His Royal Highness the Governor General; praying that His Royal Highness will cause a return to be laid before the Senate showing:

1. The number of Chinamen entering Canada during the years 1911, 1912 and 1913.
2. The amount of head-tax collected each year respectively.
3. How such head-tax was disposed of.
4. Where such Chinamen settled by provinces.

Hon. Mr. LOUGHEED—I could not tell my hon. friend. I have taken the necessary steps to obtain it, and I expect it will be brought down at an early day.

The Senate adjourned until Tuesday next, at three o'clock in the afternoon.

THE SENATE.

Tuesday, March 3, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

IMPORTATION OF THOROUGHBRED STOCK.

INQUIRY.

The notice of inquiry being called:

Resuming the adjourned debate on the inquiry of the Hon. Mr. Casgrain:

That he will call the attention of the Government to some unsatisfactory features regarding the regulations for the importation, duty free, of thoroughbred mares and stallions, and will inquire whether it is the intention of the Government to remedy these conditions should they exist.

Hon. Mr. DOUGLAS—Since this subject was introduced in the Chamber last week it has caused me a great deal of labour to ascertain the far-reaching effect of the paper which was read to us. It embraces matters connected with the best interests of the live stock industry in the Dominion of Canada. It would be a foolish thing for me to recommend that this House should give enough time to fully consider and discuss the merits of this question, which embraces the interests of every branch of the live stock business. The facts told of in the memorandum submitted to the House appear to strike a very heavy blow against one of the greatest industries of the Dominion. We are greatly interested, nowadays, in the high cost of living; and where can we find a better method to reduce the cost of living than by the careful breeding of live stock in the Dominion of Canada? Therefore, I am anxious, as an individual, to have this matter receive every attention, and that an opportunity be given to inquire fully into this vast question, and if there is anything wrong, to try if possible to ascertain what it is, and provide a remedy. We have a conviction that we have done wonders along the line of the Live Stock Association Record, and to-day the Canadian system is regarded as one of the best systems in the world. The United States of America has recognized the Canadian system. No animal can be taken from Canada to the United States, without the importer being called upon, at Washington, to produce a

Canadian certificate, and a certificate of identification. I do not wish to take up the time of the House now, but I wish to suggest a better method of investigating and looking into the merits of the whole question, and propose that it shall be given to the public. So, this afternoon, instead of taxing the patience of the House by dealing with these intricate questions which no man's memory can very well carry—and instead of reading this very lengthy paper which is based upon documents which are with the Government—I suggest that the matter should be referred to the Committee on Agriculture and Forestry. The Committee of the Live Stock Records Association is prepared to substantiate the principles which are laid down here, with genuine documents that are on file, and this House should allow me here simply to move that the consideration of the whole subject be handed over to the Standing Committee of this House on Agriculture and Forestry. The committee has plenty of time to give to it, with the power to call for persons or papers and to make a thorough investigation. It would be time well spent, and the work will be done more effectively than it would be by simply prolonging the discussion in this Chamber. I move, seconded by the hon. gentleman from Compton (Hon. Mr. Pope), that this House refer the consideration of this question to the Standing Committee of the House on Agriculture and Forestry, and that the committee be empowered to call for persons, papers and records.

The SPEAKER—I would suggest that the hon. gentleman should take another course to refer the matter to the committee. This is an inquiry of the Government, and the hon. leader will answer that question. If the hon. member desires to make a substantive motion, to refer the first part of the inquiry, and the answer of the Government, to a special committee, that might be more in order than the amendment he is now proposing.

Hon. Mr. POWER—I quite agree that, in the usual course of affairs, the line indicated by His Honour the Speaker will be the preferable one, but it will be observed that the hon. gentleman from Saskatchewan was prepared, as I understand, to make a speech of considerable length on the subject, and out of regard for the time of the House he concluded that as it was a matter that could be dealt with in a much more satisfactory way by the committee, he would move that the question be referred to a committee. I think he has the right to do that. This question deals with a certain matter, and the hon. gentleman moves that that matter be referred to the committee on Agriculture and Forestry to inquire into and report upon it. I think he deserves the support of the House just because he has taken a judicious and tolerant line.

Hon. Mr. DAVIS—I take quite an interest in the live stock industry of the country, and I have gone carefully over the statement made by the hon. gentleman who asked this question, and brought up this discussion in the House. For my part, I cannot agree with that hon. gentleman, but I would like to get all the information possible. Some points in the statement he made are worthy of consideration. Now, if we can refer this question to the Committee on Agriculture, with power to get witnesses, etc., we could get the views of those gentlemen interested on both sides, and thresh the matter out, and get a proper understanding. There is no doubt that the question is a very important one, and I think the time will be well spent. I would support my hon. friend in getting it before the committee.

Hon. Mr. YOUNG—As the hon. gentleman has pointed out, this is an inquiry, and the usual procedure is that, after a member has made his case, it is up to the Government to answer it. That answer is being cut off by the motion of my hon. friend from Saskatchewan. I think the procedure would be more in line with our rules if we awaited the answer of the Government, and then had the whole matter referred to the committee. There would be no delay; there is no desire on the part of this House not to send the question to the committee, so far as I can gather; it is only a matter of procedure.

Hon. Mr. DANDURAND—There is nothing just now to send before the committee, because there is no motion. I concur in the remarks of the hon. gentleman from Killarney that we should have the answer of the Government, and by the unanimous consent of the House my hon. friend could then move that the matter contained in the inquiry be referred to the committee.

Hon. Mr. YOUNG—With or without notice.

Hon. Mr. MACKAY (Cape Breton)—May I ask the hon. gentleman from Saskatchewan, who has taken a great deal of trouble

to inquire into this matter, and who is an authority on live stock, to have the references now in his possession placed on 'Hansard'? Those references might be of very great benefit, and I would ask the hon. gentleman if he intends to place those references on 'Hansard.'

Hon. Mr. CLORAN—He can do that when he makes the report from the committee.

Hon. Mr. LOUGHEED—I am certainly at a loss to understand how this practice can be logically carried out. It would mean, if carried to its logical conclusion, that upon an hon. member making an inquiry from the Government upon a particular subject, a committee of this House should be delegated to practically act upon the question. Now, in what way will the Committee on Agriculture act? Will it prepare a report and submit it to this House, or in what way may the Government know what the views of the members of the House are upon the subject? The answer to these questions might very largely depend on what my hon. friend from Saskatchewan might say, or on what opinions my hon. friend from Prince Albert may hold upon this very important subject. I simply mention that by way of illustration. After it comes from the committee, what then? Can it be expected that the committee will supersede the Government upon this question?

Hon. GENTLEMEN—No, no.

Hon. Mr. LOUGHEED—Or that the Government will be influenced by the report of the committee, without knowing what has taken place before that committee? You could scarcely expect the Government to be summoned before that committee and thus be made acquainted with the investigation conducted by the committee. It seems to me that we are departing from very well settled practice as to what has long been established, namely, the practice of making inquiry in this House as to what the Government intends to do upon a particular subject.

Hon. Mr. DERBYSHIRE—But if the Government had a matured statement from this committee giving the facts in detail with all the evidence, would it not assist the Government in coming to a conclusion if the Government saw that this report was a proper report to the very point desired, and giving the very evidence which would enable the Government to make a decision? I think it would be a grand thing for the Government to have this advice from the committee that could make it.

Hon. Mr. BELCOURT—I do not quite agree with what has just been stated by the hon. leader. We are trying now to solve the question of procedure, and I should like to know whether it is quite permissible for a debate to take place on a mere inquiry.

Hon. Mr. POWER—Yes.

The SPEAKER—It is not permitted by the rules of this House upon inquiries that take the form of a mere question, but it is permitted when preceded by a motion or by a statement of facts.

Hon. Mr. BELCOURT—That is where my trouble arises, because the Order of the Day reads this way:

> That he will call the attention of the Government to some unsatisfactory features regarding the regulations for the importation, duty free, of thoroughbred mares and stallions, and will inquire whether it is the intention of the Government to remedy these conditions should they exist.

That is purely and simply a question, upon which, I think, there could be no debate. I do not rise to oppose this question; on the contrary, I am quite in sympathy with the reference to a committee, but I do not want that committee to say that there is nothing referred to them, when the members come to inquire into this matter. I want a notice of motion put on the record covering the whole field of inquiry referred to this committee. Otherwise the committee may say, 'We have nothing to inquire into.' As I understand the rules of the House, the Government is called upon on this inquiry, to give an answer purely and simply, and I do not think a debate is in order.

Hon. Mr. LOUGHEED—Yes, a debate is in order.

Hon Mr. DANDURAND—When the question is prefaced by calling the attention of the Government to the matter inquired into, then it opens the door to a debate.

Hon. Mr. BELCOURT—I received several communications from gentlemen interested in the matter of live stock, and I thoroughly agree with the suggestion that the matter should be referred either to the Committee on Agriculture and Forestry or to some special committee. The matter is one of very great importance, and I know from the communication which I have in my

hand that there are serious complaints made against the manner of registering live stock. I did not rise for the purpose of making obstruction, but on the contrary, I am in favour of making the reference to the committee as large and complete as possible.

The SPEAKER—Here are the rules:

39. No debate is in order on a mere inquiry; but explanatory remarks may be made by the senator making the inquiry, and by the minister or other senator answering the same. Observations upon any such answer are not allowed.

40. When it is intended to make a statement or raise a discussion on asking a question, the senator having such intention as part of the notice under Rule 21, gives notice that he will call attention to the matter inquired into.

Hon. Mr. BELCOURT—Are we to understand that, in a matter of this sort, the debate is permissive.

The SPEAKER—The debate is permissive.

Hon. Mr. BELCOURT—I do not think it is so in the rules.

Hon. Mr. POWER—Yes, it is in rule 40. It has been the practice of the Senate to have discussions on a question in that form, since the year 1877. I know the late Sir David Macpherson introduced the practice then, and told us, at that time, that he found that that was the practice in the House of Lords. That practice is recognized in the rules His Honour the Speaker has just read.

Hon. Mr. BELCOURT—It does not seem to me that rule 39 justifies it at all.

Hon. Mr. DANDURAND—But rule 40 does.

The SPEAKER—That is, if the Senate wants a discussion.

Hon. Mr. BELCOURT—I submit with all deference that those two rules will not justify a debate on a mere inquiry. If a practice different from that has sprung up, and has been recognized, that is another thing.

The SPEAKER—If I had to give a decision I would give it in the sense I stated.

Hon. Mr. YOUNG—On rule 40.

The SPEAKER—On rule 40; but I fear to give a decision lest it be reversed.

Hon. Mr. YOUNG—The member who brought up this question starts out using the very words of the rule, 'That he will call the attention of the Government to some unsatisfactory features regarding the regulations,' etc., as will be seen in the Minutes of Proceedings of February, 19, page 75.

Hon. Mr. BELCOURT—He may make an observation, but there is no general debate open under that rule.

The SPEAKER—According to procedure followed, it is for the Government to answer that inquiry. I do not think the motion of my hon. friend is in order. If he wants to refer the matter to a committee, there is a procedure to follow, and a very simple one; or he may get the unanimous consent of the House to dispense with the following of that procedure. The regular way is to put the question and to have the answer given.

Hon. Mr. CLORAN—Why could not the hon. gentleman from Saskatchewan move that the Government be not asked now to answer the inquiry but that the answer be held over until the Committee on Agriculture has dealt with the matter? Would not that pave the way to a settlement of the question? I know that the leader of the Government is prepared to give his answer, but that would settle the matter, and it would have to be brought up again, and I doubt if the hon. gentleman from Saskatchewan could very well do that. If the Government say they have the matter under consideration, then we cannot put it in the hands of the Committee on Agriculture. The leader of the Government was perfectly right in what he stated a moment ago. What is the Government to do? We all want to facilitate this inquiry. It deals with a matter of vast importance, and the suggestion which I respectfully make, I think if adopted, would pave the way to a settlement.

Hon. Mr. OWENS—When this question was brought before the Senate, the hon. gentleman who introduced it read a very long article reflecting very severely and I may say unfairly on the National Live Stock Record. He made suggestions which, if carried out, would entirely destroy the usefulness of the Record. That is why I seconded the motion of the hon. gentleman from Saskatchewan to refer the matter to a committee, either the Committee on Agriculture or a special committee. The matter is of sufficient importance to be dealt with in that way. The charges that were brought against the National Live Stock Record, should not be allowed to pass. The question should be dealt with by a committee which could bring before it the author of

that article, as well as the largest breeders of thoroughbred horses, and others interested in the matter. It is only fair to the National Live Stock Record Association that this matter should be dealt with either by a special committee or the Committee on Agriculture.

Hon. Mr. DOUGLAS—I am sorry to have given rise to this additional discussion.

Some hon. GENTLEMEN—No, no. It should be discussed.

Hon. Mr. DOUGLAS—I am prepared to go on and make my speech now, but taking a business view of the whole situation; from the fact that the country is not yet possessed of the question that has arisen—and arisen largely through one individual—and as we have to look at the general interest of the country where we have on one hand a thousand members identified with this association (and in another view, as far as business is concerned, thirty-five thousand of our best citizens) surely we cannot deal with the matter lightly. The most efficient way of dealing with the business and getting a thorough investigation is to refer the matter to the Standing Committee of the House with instructions to report upon it and the Government may then either receive or reject the report. I shall be prepared at any stage of the proceedings to speak at considerable length. This is no trifling matter which is to be pushed aside without serious consideration. It would be a great injury to the country should prevailing ideas become permanent in society. I am satisfied, from what I have learned in preparing a reply to the article which was read, that the author of that article is sadly in error, and the basis of my statement is a document to which certain persons have signed their names, and original documents which are with the Government. If the Government is not prepared to give an answer, why not give the Government time and wait till we have made our report.

Hon. Mr. DANDURAND—Would the hon. gentleman allow me to suggest that this matter could be adjourned for forty-eight hours, in order to allow the hon. gentleman from Saskatchewan to make a substantive motion; so that when the matter comes before the House we can act upon it and decide upon the request that this matter should be referred to a committee. If that motion is carried, then it disposes of the inquiry unless the Government would like, in the meantime, to give an answer to the inquiry on the Order Paper?

Hon. Mr. LOUGHEED—Oh no, the Government is not necessarily anxious to give an answer to the inquiry, unless the hon. gentlemen desire it, but I should like to be understood as not opposing in any sense the inquiry that my hon. friend from Saskatchewan desires to make. It is only in the interests of the procedure of the House that I made the suggestion which I did. I think when an inquiry is made on the floor of the House on a public subject, that the Government should have the advantage of the discussion which takes place, and which is duly recorded in 'Hansard.' That would not be obtainable if such a subject were referred to a Select Committee; and inasmuch as we have followed this procedure for years, I would prefer that we should adhere to that, rather than delegate it to a committee. My hon. friend can very well make a substantive motion, and have it referred to the Committee on Agriculture, and the matter may stand until that committee reports. I should suggest that the hon. gentleman make a substantive motion, to have the matter inquired into by the committee. Then the discussion could be resumed by the hon. gentleman who made the inquiry, and the Government might give its answer.

Hon. Mr. POWER—I think that is the real businesslike way to deal with the matter. If the Government were to give their answer now, it would, as has been pointed out, preclude the matter going before the committee, or preclude any action on the part of the committee, but the course indicated by the hon. leader of the Government just meets the case. The hon. gentleman moves that this debate be adjourned until whatever date he thinks proper, and then he can give notice this afternoon for the reference of this subject to the committee. Then, after the report of the committee, the Government can answer the question. I think that is the best way to deal with the matter.

Hon. Mr. LOUGHEED—I suggest that the hon. gentleman make the motion now. I am satisfied that hon. gentlemen will not raise any technical objection on account of the absence of notice.

Hon. Mr. DOUGLAS—I move that this debate be adjourned until this day two weeks.

The motion was agreed to.

Hon. Mr. DOUGLAS—I move that the matter be referred to the Committee on Agriculture and Forestry, with power to call for persons and papers; the committee to report to the House.

Hon. Mr. CLORAN—I do not know the composition of the Committee on Agriculture. Suppose the committee were given power to add to their number one, two or three expert members of the Senate.

Hon. Mr. DOUGLAS—They have power to call for persons and papers.

The SPEAKER—I think the best way is for the hon. gentleman to take time to frame his motion as he wants to have it, and submit it to the House.

Hon. Mr. POWER—I gather from the remarks of the hon. leader of the Senate that if the hon. gentleman submits his motion to-morrow, the House will not exact the usual notice but will allow it to pass.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. DOUGLAS—I will put the motion in writing and submit it to-morrow.

SECOND READINGS.

Bill (11), An Act respecting The Burrard Inlet Tunnel and Bridge Company.—Hon. Mr. Bostock.

Bill (13), An Act to incorporate The Central Canada Railway Company.—Hon. Mr. Taylor.

Bill (16), An Act respecting The Lachine, Jacques Cartier and Maisonneuve Railway Company.—Hon. Mr. Young.

Bill (17), An Act respecting The Ottawa, Northern and Western Railway Company. —Hon. Mr. Young.

Bill (18), An Act respecting The Tillsonburg, Lake Erie and Pacific Railway Company.—Hon. Mr. Young.

Bill (19), An Act respecting The West Ontario Pacific Railway Company.—Hon. Mr. Young.

Bill (30), An Act respecting The Grand Trunk Pacific Railway Company.—Hon. Mr. Kirchhoffer.

Bill (31), An Act respecting The National Transcontinental Railway.—Hon. Mr. Lougheed.

Bill (43), An Act respecting Queen's University at Kingston.—Hon. Mr. Taylor.

GRAND TRUNK PACIFIC RAILWAY COMPANY BILL.

SECOND READING.

Hon. Mr. KIRCHHOFFER moved the second reading of Bill (15), An Act respecting The Grand Trunk Railway Company of Canada:

Hon. Mr. POWER—This is a Bill of some importance, and I think the hon. gentleman should explain its provisions before it is read a second time.

Hon. Mr. KIRCHHOFFER—This is a financial Bill, and it could be better explained before the committee than I could explain it before the House.

Hon. Mr. POWER—I am not objecting to the Bill, but I think some explanation should be given to the House. The third clause reads as follows:

3. The company shall not be under any obligation to prepare or to submit to its shareholders, debenture stockholders or auditors statements of account or balance sheets or to hold ordinary general meetings more than once a year which meeting shall be held in the month of March or April and anything which under any Act affecting the company is authorized or required to be done at a general meeting of the company to be held at any specified time may be done at the annual general meeting of the company.

I am not saying this clause is wrong, but it involves a little change.

Hon. Mr. KIRCHHOFFER—The officials of the company will appear before the committee, and give explanations respecting it.

The motion was agreed to, and the Bill was read the second time.

The Senate adjourned until to-morrow at 3 o'clock.

THE SENATE.

Wednesday, March 4, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

PURCHASE OF KITSILANO INDIAN RESERVE.

MOTION.

Hon. Mr. BOSTOCK moved:

That an order of the Senate do issue for a copy of all correspondence, papers, reports,

or documents in the Department of Indian Affairs, relating to the purchase of the Kitsilano Indian reserve from the Indians by the Government of the province of British Columbia.

The motion was agreed to.

REGISTRATION OF THOROUGHBRED STOCK.

MOTION.

Hon. Mr. DOUGLAS—With the leave of the House, I move, seconded by the Hon. Mr. Pope, that the whole system of recording the registration of thoroughbred live stock be referred to the Committee on Agriculture and Forestry, with power to call for persons, papers and records, the report to be made to this House within two weeks from this day.

Hon. Mr. CASGRAIN—I brought this question, which is a live one, before the Senate. I heard then that if the members took cognizance of the speech or statement that I read to this House, there would be a great deal of debate with regard to this matter to prove wherein I was wrong. This is an open question for debate, and I do not think it is right or fair to have the matter shelved in this way.

Hon. Mr. POWER—It is not being shelved.

Hon. Mr. CASGRAIN—If hon. gentlemen have anything to say against the points and arguments that I made before this House, there should be a full debate in this House. The matter should not be referred to the Committee on Agriculture, which does not meet very often. I do not know how often it met last session. If this motion is adopted, this will be the last we will hear of it. It will be strangled. I do not think it is fair, and I think that hon. gentlemen who hold different views from those which I have expressed, should have the courage to rise in this House and express them, instead of shelving the whole matter.

Hon. Mr. DAVIS—With reference to the statement made by the hon. gentleman from De Lanaudière (Hon. Mr. Casgrain), I may say that I have read the address, or brief he read to the House with reference to this matter, and it struck me that there were some points in it worthy of consideration. I have some knowledge of the other side of the question, but I am not prepared to make a speech. I want more light and information. We have a Committee on Agriculture, and it is very easy to call that committee together. Then we can get the evidence of these gentlemen and furnish information to my hon. friend, and also the evidence of the officials of the department. If there is a great deal of truth in the statements made in the brief presented by my hon. friend, we will get the facts, and the matter will be put right. On the other hand, if there is none, we will have all the evidence we can collect, and the committee will make a report to the House. Then if it is necessary to have a debate upon it, we can debate it after the report of the committee; and I would suggest that the evidence also be submitted along with the report.

Hon. Mr. WATSON—They have to report in two weeks.

Hon. Mr. DAVIS—The motion says in two weeks. I suppose the chairman of that committee will take up the work the same as any other work in this House, and that the matter will not be shelved or strangled, but brought back to this House with such light on the subject that we can intelligently deal with it.

Hon. Mr. BEIQUE—I think it is bad grace on the part of the hon. member for De Lanaudière (Hon. Mr. Casgrain) to complain of the motion which has been presented to the House. The hon. member has merely inquired as to a condition of things which he believes is unsatisfactory. He has made his speech, and when the debate is finished the matter would fall to the ground and there would be nothing left except the inquiry which he had made. Instead of that, we have now the motion of the hon. member who attaches sufficient importance to the inquiry which has been made to ask that it be investigated, that it be referred to a special committee. Instead of complaining, I think the hon. member should commend the mover of this motion——

Hon. Mr. CASGRAIN—To strangle the child.

Hon. Mr. BEIQUE—Because it is in the interest of the inquiry he has made, and is for the purpose of eliciting whether there are sufficient reasons in the complaint to justify this House in moving in the matter in a practical way. I think the very best course is being adopted by this motion.

Hon. Mr. POWER—I feel that the hon. gentleman who made the inquiry is labouring under a misapprehension. He

is under the impression that the object of this motion is to shelve, and smother his view of the question. The hon. gentleman from Saskatchewan told the House that he was quite prepared to go on and make a speech of considerable length on the subject, but that he thought it would be more satisfactory to the House, and more in the interest of proper inquiry, if he should move to adjourn the debate for a fortnight, and that, meanwhile, the committee would inquire, so that when the debate was resumed, members of the House would be in possession of the information which it was desirable they should have in discussing the matter. There is thus no reflection at all on the hon. gentleman from De Lanaudière (Hon. Mr. Casgrain), and there is no desire to hinder the fullest discussion on the question which he has brought up.

The motion was agreed to.

BILLS INTRODUCED.

Bill (G) An Act for the relief of Gertrude Carman Birks.—(Hon. Mr. Pope.)

Bill (H) An Act for the relief of Rose Ethel Freedman.—(Hon. Mr. Derbyshire.)

Bill (12) An Act respecting the Calgary and Edmonton Railway Company.—(Hon. Mr. Young.)

Bill (14) An Act respecting the Eastern Canada Savings and Loan Company, Limited, and to change its name to the Eastern Canada Savings and Loan Company.—(Hon. Mr. Ross, (Middleton.)

Bill (24) An Act respecting the Canadian Railway Accident Insurance Company and to change its name to the Globe Indemnity Company.—(Hon. Mr. Dandurand.)

Bill (26) An Act to incorporate the Pacific Peace river and Athabaska Railway Company. —(Hon. Mr. Bostock.)

Bill (34) An Act respecting the Dominion Atlantic Railway Company.—(Hon. Mr. Roche.)

Bill (36) An Act respecting the Joliette and Lake Manuan Colonization Railway Company —(Hon. Mr. Choquette.)

Bill (37) An Act respecting the Ottawa and Ungava Railway Company.—(Hon. Mr. Tessier.)

Bill (39) An Act respecting the Thessalon and Northern Railway Company.—(Hon. Mr. Ross (Moosejaw.)

Bill (42) An Act respecting the Esquimalt and Nanaimo Railway Company.—(Hon. Mr. Bostock.)

Bill (44) An Act respecting the Vancouver Insurance Company of Vancouver, British Columbia and to change its name to the Vancouver Life Insurance Company.—(Hon. Mr. Bostock.)

Bill (46) An Act respecting the Erie, London and Tillsonburg Railway Company.—(Hon. Sir Melvin Jones.)

Bill (47) An Act respecting the Lake Erie and Northern Railway Company.—(Hon. Mr. Ratz.)

Bill (48) An Act to incorporate the Peace River Tramway and Navigation Company.—(Hon. Mr. Bostock.)

Bill (49) An Act respecting the Saskatchewan Central Railway Company.—(Hon. Mr. Davis.)

Bill (52) An Act respecting the Central Railway Company of Canada.—(Hon. Mr. Pope.)

Bill (55) An Act respecting the Quinze and Blanche River Railway Company.—(Hon. Mr. Belcourt.)

Bill (60) An Act to incorporate the United Empire Loyalists' Association of Canada.—(Hon. Mr. Kirchhoffer.)

DELAYED RETURNS.

Hon. Mr. DAVIS—Before the Orders of the Day are proceeded with, I should like to call the attention of the hon. leader of the Senate to a motion I moved on the 19th February, asking for a return, with reference to the number of Chinese who have come into Canada in the last three years and so forth. Probably the hon. gentleman can give me some information as to when I may expect that return.

Hon. Mr. LOUGHEED—I made inquiry yesterday and strongly urged the immediate return of those papers for my hon. friend. I shall follow it up, and hope at an early day to lay it before the Senate.

IMPROVEMENT ON LACHINE CANAL.

QUESTION OF PRIVILEGE.

Hon. Mr. CASGRAIN—Before taking up the Orders of the Day, with the permission of the House, I should like to call the attention of the leader of the Government in the Senate to a few short paragraphs which appear in the Montreal Herald and Daily Telegraph of last night, March 3. This paper cannot be classed, I am sure, as one opposed to the Government, or one in favour of the Opposition either. The present standing of the paper is very much in doubt; it is hanging between heaven and earth. However, this is such an urgent matter that I trust this House will pardon me if I bring it to the attention of the Government, because it is within their power, within a few hours, to remedy what is complained of. The heading of these paragraphs is in very large letters, and reads as follows:

Forty Factories Affected as the Canal is Emptied—Most of Them are Robbed of Power to Operate their Plants—Some May Close Down Completely—Likely to be Dry Until Navigation Reopens, two Months From Now.

The Lachine canal has been emptied and forty factories along the bank in the city are in trouble. The ears of the Hon. Frank Cochrane, Minister of Railways and Canals, would burn if he could hear to-day the comments of the manufacturers whose places of business are situated on the Lachine canal.

Many of them are running with only part of their regular staffs, for the reduction of the

water in the canal has robbed them of most of their power. In some of the factories auxiliary steam plants are in operation, but these are unable to meet the demands of the shops.

The gates were opened yesterday morning, and most of the water let out. Little inconvenience was experienced yesterday, as it was almost night before the power in the factories began to fail. The owners, however, watched the lowering stream with apprehension. This morning it was near the bottom and the extent of their troubles became apparent at once.

Some fear they will be forced to close down entirely; others hope to wriggle along with reduced staffs and at half capacity.

Request was Refused.

In January the department announced that it intended to let the water out of the canal by the first of April in order to erect a power plant near Côte St. Paul. A delegation went to Ottawa and asked that the work be postponed, saying that work was scarce in the city, and that it would be a great hardship to close the shops in the middle of the winter. Their request was acceded to, and the work delayed. Then another body of manufacturers visited the Capital and asked that the power plant should not be begun until the spring, but this was refused and the canal was drained yesterday.

Forty manufacturers and hundreds of men are affected by the action of the department, and thousands of dollars will be lost, it is alleged, by mill owners and employees before the water is turned into the canal again. It is likely to be dry or nearly so until the opening of navigation. That is nearly two months away, so the manufacturers along the bank are alarmed at the big losses that are probable.

The SPEAKER—The hon. gentleman has given a Notice of Motion for to-morrow. Is he not anticipating a debate ?

Hon. Mr. CASGRAIN—I would probably have been told, if I had brought this matter up in the Senate, that I should have given notice of a motion. However, I anticipated the wishes of the Chair and gave the Notice of Motion. If permitted, I would simply implore this Government to consider the very hard situation of the workingmen in the city of Montreal. Work has been scarce all winter. We have many people unemployed. Those who are at the head of charitable institutions—and I am one—have found more distress this winter than for many years. People have had a very hard time to pay their rents and supply their families with necessaries of life. It seems a great hardship for the Government to deprive men of work. Especially is this so toward the very end of the season, when men need work more than ever, when they have exhausted their credit, and it is absolutely necessary that they should have work. I do not believe the work of the Government is undertaking is so urgent that they should throw people out of employment at this particular juncture. In the name of humanity I ask the Government to do something to protect the interests of these people. It is only a matter of five or six hours to turn the water into the canal again and let the people have a few weeks more work. If the Government intends to build a power plant, as the paper states—and I do not know whether the Government does or not—let it wait. I am told that a coffer dam can be erected at small expense around the works, and the construction could be carried on while the water is in the canal. Taking these matters into consideration, I feel sure that the hon. leader of the House will intercede with the Government. I saw the deputations that came here, and they received encouragement from the Government.

This is not a new thing. While the former administration was in power, the officials of the canal always wanted to do some fussing with the canal. Even before the former administration, when the old Conservative administration was in power, and just before their downfall, they fussed with the canal and created what was called the 'Curran bridge scandal.' Now it is a bad thing for people to fuss with the Lachine canal, and the Government should take warning, and not deprive the workingmen of Montreal of work, unless such deprivation is absolutely necessary. I hope the questions I put will be answered to-morrow, and that the Government will reconsider the matter and let the water into the canal so that the people may have work for the balance of the winter.

CRIMINAL CODE AMENDMENT BILL.

SECOND READING.

Hon. Mr. CHOQUETTE moved the second reading of Bill (D), An Act to amend the Criminal Code.

Hon. Mr. LOUGHEED—Does my hon. friend think it necessary to have the Bill printed and circulated?

Hon. Mr. CHOQUETTE—It has been printed.

Hon. Mr. LOUGHEED—I have not seen it; it is not on the file.

Hon. Mr. CHOQUETTE—I have a copy here printed, which I obtained from the office, and they told me it was printed and distributed.

Hon. Mr. POWER—It has not been distributed.

Hon. Mr. CHOQUETTE—I might perhaps just say a word or two about the meaning of the amendment, which I wish to move to the Criminal Code. It is very plain. It is to prevent newspapers from publishing the names of persons accused or condemned of criminal offences. We all know that privilege is abused, and it is the duty of the House to prevent the harm that has been occasioned by this course. The papers are now publishing 'yellow' editions in which they show pictures of every criminal, thieves, murderers or forgers—not only from this country, but from the other side of the line. I do not intend to make any long remarks on this—

Hon. Mr. BEIQUE—The hon. gentleman should wait until the Bill has been printed and distributed. We would like to see the wording of the Bill before it is read a second time.

The Order of the Day was discharged, and placed on the Order Paper for to-morrow.

SECOND READINGS.

Bill (20) An Act respecting the Canadian Pacific Railway Company.—(Hon. Mr. Young.)

Bill (F) An Act to incorporate the United Empire Life Insurance Company of Canada.—(Hon. Mr. Derbyshire.)

NATIONAL TRANSCONTINENTAL RAILWAY COMPANY BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill No. 31, An Act respecting the National Transcontinental Railway.

(In the Committee.)

Hon. Mr. LOUGHEED—This is a Bill for the purpose of authorizing the Governor in Council to extend the time for the completion of the western division of the National Transcontinental railway for a period of twelve months from the 1st day of December last. We have passed legislation similar to this on previous occasions, last session and the session before, and it is proposed under this to give the necessary time, as mentioned in the Bill, for the completion of the Grand Trunk Pacific section of the road.

Hon. Mr. BOSTOCK—Can the hon. leader of the Government give us any idea how far this work has gone and when it will be completed. From the preamble of the Bill it seems that we have extended the time for the construction of this railway on two or three occasions—1912, 1913, and I think also 1911.

Hon. Mr. LOUGHEED—It should be completed during the current year.

Hon. Mr. YOUNG—Were the former extensions of the railroad granted in the same way?

Hon. Mr. LOUGHEED—Yes, precisely similar. It is done with the consent of the Grand Trunk Pacific Railway Company.

Hon. Mr. BOLDUC, from the committee, reported the Bill without amendment.

The Senate adjourned until 3 o'clock to-morrow.

THE SENATE.

Thursday, March 5, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILL INTRODUCED.

Bill (J), An Act to amend the Inspection and Sale Act.—Hon. Mr. Lougheed.

IMPROVEMENT ON LACHINE CANAL.

INQUIRY.

Hon. Mr. CASGRAIN inquired:

1. Are the Government aware that by emptying the Lachine canal they have thrown thousands of workingmen out of employment in the city of Montreal for the rest of the winter?
2. Are the Government aware that forty factories are affected as the Lachine canal is emptied?
3. How long will these factories be deprived of power?
4. Are the Government aware that the public press, both English and French, has during the present winter published statements by the leaders of the charitable institutions that for thirty years there has not been so much misery in Montreal?
5. Does the Government consider this an opportune time to curtail employment by closing down factories?
6. Why is the Lachine canal being emptied now?
7. Have the Government received deputations and correspondence asking that the Lachine canal be not emptied at present?
8. Who were the members of those deputations and whom was this correspondence from?

Hon. Mr. LOUGHEED—I propose answering the eight questions that my hon. friend has placed upon the Order Paper in a general way. It will be observed from the way the questions have been framed, that

my hon. friend apparently does not desire the Government to answer such questions intelligently. In fact they are irregularly prepared. My hon. friend assumes a certain condition of facts, and also assumes that certain consequences flow therefrom. That is clearly irregular in the making of an inquiry. I would like to say, speaking generally, that it has been customary for the Government to draw the water off all canals annually between the first of April and the first of May in each year, for the purpose of making improvements. In this particular case it was thought desirable that the water in the Lachine canal should be drawn off last fall, and representations were made by manufacturers and others that it was undesirable, at that particular time, to draw off the water. More than the usual repairs have to be made at this particular time upon the Lachine canal. A new power plant is necessary, a retaining wall is necessary, and also the building of weirs. I may say that manufacturers who secure power from the Lachine canal are perfectly well aware that annually they—for the time being—will be deprived of power during the period that repairs are being made, and there is a provision in the leases of those consuming power from that canal, that this shall be done. The leases are subject to this contingency, and I am informed that all the manufacturers who rely upon power from the Lachine canal have auxiliary plants to meet such an occasion as has been pointed out. It has been regarded as desirable that, instead of commencing those repairs on the 1st of April, as has been customary in the past, they should be started on the 1st of March so that they might be completed by the 1st of April and thus be ready for the opening of navigation. Those repairs are in the hands of very competent contractors who fully expect to have them completed within the time limit. I think that with this explanation hon. gentlemen will at once perceive that the running of the water out of the canal is absolutely unavoidable. Those repairs must be made; the canals must be maintained and incident to this is the making of proper repairs. The Lachine canal can only be operated by the making of those repairs, by the building of a new power plant, and by the other repairs to which I have referred. If any inconvenience has been suffered, of course, the Government is not in any sense responsible for that. What has been done is absolutely unavoidable.

Hon. Mr. LOUGHEED.

Hon. Mr. CASGRAIN—I think the hon. leader of the Government answered the question as to representations having been made on this subject, but he did not say by whom; who were the members of that deputation, or who were the correspondents, in case there was correspondence. I would like to put the hon. gentleman right in regard to the auxiliary plants. There are no auxiliary plants of sufficient size to run the factories during these repairs; some of the factories have none at all; others have in proportion to their needs very small auxiliary plants.

Hon. Mr. LOUGHEED—That is their own fault.

Hon. Mr. CASGRAIN—I beg pardon of the leader of the Government; that is not a satisfactory way of answering pertinent questions. The Government does not seem to realize how important it is for these working people to get their daily wage. I do not consider these answers satisfactory at all, and I do not believe that the people who are living there, and are being deprived of their pay next Saturday, will be satisfied—

Hon. Mr. LOUGHEED—I rise to a point of order. My hon. friend must take that answer. My hon. friend is not in order in discussing this matter further. He made several alarming statements yesterday which I might very well have taken objection to, but I did not do so.

Hon. Mr. CASGRAIN—Well, do so now; take objection to them.

Hon. Mr. LOUGHEED—I do not propose that my hon. friend shall live further in the atmosphere of alarm, so far as this particular question is concerned if I can help it. The reports which were read here yesterday were read for political effect—I have no hesitation in saying that. They were of the most alarming character, but they were not founded upon fact. Nobody is more familiar with the fact that what is being done is absolutely unavoidable, than my hon. friend; and I certainly take exception to his more fully discussing this subject at this time.

Hon. Mr. DANDURAND—Might I draw the attention of the hon. gentleman to the fact that he has not answered the seventh and eighth questions. I was not here yesterday to hear the remarks of my hon. friend, but if there have been representations, either verbal or in writing, and

we were given a summary of them, we would then have the arguments set forth by the aggrieved parties. I was expecting that my hon. friend would answer those questions, because they are questions of fact. Have there been representations, verbal or written? If these have been made, and we had a summary of those representations and the answer of my hon. friend, perhaps the whole atmosphere would be cleared.

Hon. Mr. LOUGHEED—I have no hesitation in saying to my hon. friend that delegations did wait upon the Government when it was proposed to make the alterations last autumn, and desired that those alterations should stand until the month of March. It is not material to the discussion, as to who composed those delegations. Let us assume that every manufacturer interested waited upon the Government. The essential fact is that the water in the canal had to be emptied at some time before the opening of navigation for the purpose of making the repairs to which I have referred; if there is any other way of doing it, I should like a suggestion from my hon. friend. Now, so far as the manufacturers are concerned, who may have been temporarily inconvenienced, the leases provide that the water may be turned off to meet the very contingency which I pointed out; if they failed to provide auxiliary plants, then it is their own loss.

Hon. Mr. CASGRAIN—May I correct again that statement? I have seen some of those leases——

The SPEAKER—The question has been put and the answer has been given.

Hon. Mr. CASGRAIN—No; no answer has been given; that is what I find fault with.

The SPEAKER—The gentleman is bound to take the answer that has been given.

Hon. Mr. CASGRAIN—There is no answer.

Hon. Mr. KERR—He is not bound to take the answer.

The SPEAKER—He cannot force the minister to give another answer.

Hon. Mr. LOUGHEED—If my hon. friend will point out to me wherein he wants a further answer that would be material to the inquiry, I should be obliged to him.

Hon. Mr. CASGRAIN—Where did the hon. gentleman get the answer that they are obliged to have auxiliary plants?

Hon. Mr. LOUGHEED—It is provided for in the leases. The leases provide that the water shall be turned off at a particular time for the purpose of making repairs; and for the purpose of keeping those manufacturers going it is quite obvious that they will need an auxiliary plant or will have to suffer the inconvenience of closing down their plants while those repairs are being made.

Hon. Mr. DANDURAND—My hon. friend has declared that deputations called upon the Government last autumn.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. DANDURAND—But question 7 has reference to this month of March, and not to last autumn.

Hon. Mr. LOUGHEED—I might say to my hon. friend that assuming that delegations asked the Government to do that, the Government could not comply with the wishes of such delegations, as the Government is charged with the responsibility of operating this canal, of maintaining it, and particularly of furnishing the power necessary to operate it. My hon. friend will readily see that the responsibility is upon the Government and not upon delegations who come here, or upon those who may be temporarily inconvenienced by reason of the emptying of the canal.

NATIONAL TRANSCONTINENTAL RAILWAY SHOPS.

Hon. Mr. CHOQUETTE—Before the Orders of the Day are proceeded with, I wish to draw the attention of the Government to a most important matter, concerning which I should like to know if the Government reached a decision. We have heard a good deal of late about the report of the commission appointed to investigate the National Transcontinental railway, and about transactions involving a few thousand of dollars, and other little things, but I am surprised not to have heard anything from the ministerial papers or from the Government on what is reported by the two commissioners under the heading of the Transcona Shops. This is a matter of great importance, because it has a direct bearing on the construction of shops at Quebec.

Hon. Mr. LOUGHEED—Will my hon. friend permit me? My impression is that

that report has not been laid on the table of Parliament yet, and until it is in the possession of the House it is scarcely opportune to discuss it now.

Hon. Mr. KERR—This report has been laid on the table of the other House.

Hon. Mr. LOUGHEED—I have no recollection of having placed it on the table of this Chamber, nor am I aware that it has been laid on the table of the House of Commons.

Hon. Mr. CHOQUETTE—If the opinion of the commissioners is correct, it is a matter of very great importance. I received a copy of the report this morning, and, looking over it, was astonished to see, under the heading 'Transcona Shops,' the opinion of the commissioners, which seems to have been supported by Mr. Leonard, to the effect that the shops at Winnipeg have been built without any legal authority. If that is true, the shops to be built at Quebec are in the same position. The commissioners put this question:

Are the shops at Transcona to be regarded as a portion of the Eastern division within the intent and meaning of the agreement of July 29, 1903, and of February 18, 1904, and Acts confirming same?

They go on to say that it is not within the meaning of those agreements. They say that those agreements do not require the Government to build shops at all—in fact that they have no right to do so, that these shops must be built by the company itself. Mr. George Lynch-Staunton, I am told, is a very clever lawyer of Hamilton, and Mr. F. P. Gutelius, the other commissioner, sided with him. Mr. Newcombe disagrees with these gentlemen, but he says that Mr. Leonard is also of the opinion that the work done at Winnipeg has been done without authority, and that therefore the work to be done at Quebec would also be illegal. At page 122 of the report the commissioners say:

In this case the 'line of railway' does not include terminals because they are spoken of as being apart from the railway. For example, in clause 15 'expenditure for the right of way and other lands required for the purposes of the railway and for terminal facilities' is spoken of, and it would not include telegraph and telephone lines, because they are also treated separately.

In other words, the Government is to supply the permanent way, that is the facilities for using the company's rolling stock, but it is not to supply the facilities for repairing, maintaining, or replacing that rolling stock or the permanent way, and clearly the shops and machinery are facilities for repairing or replacing rolling stock, and are of no use to the company in the operation of the rolling stock, if the rolling stock is in good repair, which is the condition which the company has agreed at its own cost to keep the rolling stock.

Shops are not part of a line of railway. There are many railways which have none. For example, lines which were built and leased like this is to be to other companies.

Machinery is certainly no part of a line of railway. It is not even equipment of the railway, as is the furniture of a railway station for example. It is the equipment of a building, which the railway company may or may not for economical reasons deem it good business to acquire or not to acquire, so that neither are necessary for the operation of the road.

Then at page 122 the commissioners assert:

(a) There are no words in the agreement imposing on the commission any liability to build shops or to furnish them with machinery, but, on the contrary, the company have agreed to equip the railway with rolling stock and to keep the railway and rolling stock in repair, and to make all renewals at its own expense; that agreement involves the supply, by the company, of shops and machinery for the building and repair of rolling stock unless the company contracts that work out to somebody else.

(b) The Government did not agree to build and fully equip this line of railway with everything required to operate it, excepting rolling stock.

(c) The company agreed to equip the railway with rolling stock and to keep it and the rolling stock in repair at its sole expense. Not only does this agreement impose no liability on the Government in this regard, but it can be gathered from the contracts with certainty that the company has undertaken this obligation.

Then on page 126 they say:

(d) There are words used in the agreement which clearly indicate that the company is to supply these shops and machinery. If it was intended that the Government should supply these shops and machinery, the agreement by the company to repair its rolling stock would have stated that the same was to be repaired with the machinery to be supplied by the Government.

Further on, at page 127, they say:

Shops and machinery may be equipment of the undertaking of a railway company, but are not equipment of a line of railway.

Hon. Mr. LOUGHEED—What is the point my hon. friend is taking?

Hon. Mr. CHOQUETTE—The commissioners at the end of the report give the opinion of Mr. Newcombe which seems to differ a little from theirs, though he does not go very far in his differing opinion. The purport of it will be found at page 129 where he says:

As to the location of the shops that so far as the Winnipeg site is concerned appears to be settled beyond possibility of alteration, but as to the Quebec or any other site, I apprehend it is still open to the Commissioners to determine any and what shops are required at these places.

So we see it is the decided opinion of the two commissioners and Mr. Leonard that the shops at Winnipeg have been constructed without authority, and that the Government is not obliged to build shops for the company. Mr. Newcombe seems to differ as to the Winnipeg shops, but adds:

But as to the Quebec or any other site I apprehend it is still open to the commissioners to determine any and what shops are required at these places.

If that is correct—if the Government has built shops at Winnipeg without authority and could not compel the company to lease or buy them—we know our position. In Quebec it will be the same. I hope the Government have the right to build these shops, but it is very important that they should be built legally, that the Government will have a right to pay for them, and not do as has been asserted in some parts of the country, to make a contract in view of a future election and begin the work and then say they are compelled to stop it. By the construction at Quebec of these shops for which I congratulate the Government, hundreds of people will flock to that city and locate there, and it would be a serious matter if the Government had to suspend the work. I should therefore like to ask the Government, first if they have looked over this important report, and if so have they come to a conclusion as to how they are going to settle this question. We are likely to hear a little more about this report here or elsewhere. It is most important that we should know exactly, all the facts, and how the Government regard the legal opinions referred to in this report. I draw attention to this part of the report and ask the hon. leader of the House to let us know as soon as he can what position the Government take on this matter. If they think the legal opinion contained in the report is correct; if they intend to pass legislation legalizing the expenditure at Winnipeg and the building of shops at Quebec? If the Government is under no obligation to build them, the company should construct the shops. If the Government should build them, then they should be recouped by the company and the Government ought to take proper precautions to be legally entitled to draw rent from them. I am most anxious to hear the answer the Government will give to my inquiry on this important matter.

Hon. Mr. LOUGHEED—The Government cannot possibly answer in any other way than that the legislation upon the subject including the contract between the parties concerned must necessarily govern the situation. If the late Government built shops not authorized by the contract, then this Government is certainly not responsible therefor. If this Government is not authorized to build shops such as my hon. friend referred to, then either additional legislation will be necessary, or some additional negotiations will have to be concluded in the shape of a contract between the parties concerned, before an undertaking of that kind can be entered upon.

Hon. Mr. CHOQUETTE—I do not blame this Government or the other Government. I just wish to ask whether the Government has the right, according to the report of the commission, to do what it has done. I do not wish to blame any Government. On the other hand, if this report is correct, some legislation should be introduced in this House. I shall support any measure tending to remedy this difficulty, and to authorize the Government to proceed with the construction of the shops in question as soon as possible.

THIRD READING.

Bill (31) An Act respecting the National Transcontinental railway.—(Hon. Mr. Lougheed.)

CRIMINAL CODE AMENDMENT BILL.

SECOND READING.

Hon. Mr. CHOQUETTE moved the second reading of Bill (D) an Act to amend the Criminal Code.

Hon. Mr. POWER—I rise to ask the hon. gentleman to explain his Bill.

Hon. Mr. CHOQUETTE—This measure does not require a long explanation, and I do not wish to make any because, so far, I have not seen any paper in opposition to the Bill, and I may say that I have been commended for it and have been asked to proceed with it and bring it into law as soon as possible.

Hon. Mr. POWER—What change does it make in the existing law?

Hon. Mr. CHOQUETTE—Clause 207 of the Code reads as follows:

Every one is guilty of an indictable offence and liable to two years' imprisonment who knowingly, without lawful justification or excuse, manufactures, sells or exposes for sale or to public view, or distributes or circulates, or causes to be distributed or circulated any obscene book, or other printed, typewritten or otherwise written matter, or any picture, photograph, model or other subject tending to corrupt morals.

This clause was replaced in 1909 by another clause which goes a little further, and which reads as follows:

Makes, manufactures or sells, or exposes for sale or to public view, or distributes or circulates, or causes to be distributed or circulated, or has in his possession for sale, distribution or circulation, or assists in such making, manufacture, sale, exposure, having in possession, distribution or circulation, any obscene book or other printed, typewritten or otherwise written matter, or any picture, photograph, model or other object, tending to corrupt morals.

I wish to replace this clause, as amended, by the following clause, which will be more complete.

(a) makes, manufactures, sells, exposes for sale or to public view, distributes, circulates, causes to be distributed or circulated, or has in his possession for sale, distribution or circulation—

(i) any obscene book, pamphlet, newspaper or other obscene printed, typewritten or otherwise written matter; or—

(ii) any picture, photograph, model or other object tending to corrupt morals; or—

Hon. Mr. LOUGHEED—Down to the beginning of paragraph 3, the Bill is the same as the existing law.

Hon. Mr. CHOQUETTE—Yes.

Hon. Mr. LOUGHEED—So that we may confine ourselves to paragraphs 3 and 4.

Hon. Mr. CHOQUETTE—Yes, they are a little different. When they speak of pictures and photographs tending to corrupt morals, there may be some difficulty in finding out if the picture of the criminal is tending to corrupt morals. Therefore, I add the following:

(iii) without the authorization of a judge of a superior court or of the Attorney General of a province, any book, pamphlet, newspaper, or other printed, typewritten or otherwise written matter, containing any picture or photograph of a person accused of or condemned for any indictable offence or offence punishable upon summary conviction, or containing any picture or photograph of any assistant or accomplice of such person, or any picture or photograph of any instrument used by such person, assistant or accomplice; or—

(iv) any plate, film or other like device for the reproduction of any picture or photograph mentioned in sub-paragraphs (ii) and (iii) of this paragraph; or—

So that, really, the only amendment which I intend to make to the Criminal Code is to prevent the publication in the newspapers of any picture or photograph of the person accused of, or condemned of any crime. It is obvious that there are many good reasons for that. We all know unfortunately that yellow papers of a type common in the United States are becoming numerous in this country. If you open your newspaper you will find the picture of the leader of the Government, or the Prime Minister of this country, or the ex-Prime Minister, and in another column you will find the picture of a criminal going to the electric chair, or the picture of some woman accused of a crime. I have in my hands the Daily Star of Montreal, La Patrie, the Herald, and other papers giving all these pictures. I have always been opposed to that, I often thought of bringing this matter up, but I made up my mind especially during last summer, when the Thaw proceedings were occupying attention in Sherbrooke, to present this amendment to the Senate. We saw for days and days not only columns, but pages, with pictures of Thaw, of his divorced wife, Evelyn Thaw, and others, being shown in the papers as heroes or heroines, and I am ashamed to say, for the city of Sherbrooke, you will find pictures of ladies taken with Thaw as he was going into the court, and fighting at the door of the court house to see him. I have seen similar pictures in La Presse, etc. I do blame the newspaper proprietors, all of whom are doing the same thing. Not many months ago I met one of the proprietors of one of the largest papers in Montreal, and I told him I would bring in such a measure and he said: 'We will be very glad. I publish these pictures because my neighbour does it, and it will be cheaper for us if we do not publish them.' If Parliament passes a general law prohibiting this publication, the newspaper proprietors will be glad to comply. So I think there can only be one opinion that this thing must stop. You know that parents are obliged to take away papers from the children, who are naturally inclined to look at pictures, while older members of the family look at the important matters. I was expecting that there would be opposition from some papers to this Bill, and I was anxious to know their reason when I found this paragraph in the Montreal Gazette of the 23rd February last:

There will be violent opposition in some quarters to Senator Choquette's Bill to forbid the printing in Canadian newspapers of

portraits of criminals, accused or convicted. Scme papers have readers who are held by the publishers to like the sort of mental enlightment that is gained by studying the linaments of a thug or a forger, and at times much of what is called enterprise is spent in catering thereto.

This was very sarcastic but I was surprised that a paper like the Montreal Gazette had not an article applauding the presentation of this Bill and saying squarely they would support it. So far I have not seen any violent opposition and I will wait for such opposition before answering it. But I do not think there can be any opposition to such a Bill. There is no good end served in this country by having papers publish, every day, pictures of criminals. The other day I saw a page of the Montreal Star on which was reproduced the pictures of the four gunmen of Becker going to the electric chair in New York. What is the use of Montreal papers publishing those things? Nobody knows those men; nobody here has anything to do with them. What purpose can be served in publishing those pictures except to impress a certain part of the public with the idea that they are heroes; that they are great men who deserve their pictures to be put in the papers, just as much as the Speaker of the Senate, the Prime Minister or any other public man. The other day I received a letter, not in a very serious vein I suppose, from a man saying I must not go on with this Bill because sometimes the publication of a portrait in a newspaper serves the end of justice. That man had not seen a copy of the Bill. I quite admit that in certain cases the ends of justice may be served by the publication of a picture, and that when a man is accused of a crime, and the courts of justice are looking for him it would sometimes be a good thing to offer a reward and publish his picture, but I have provided for that by this clause:

Without the authorization of a judge of a superior court or of the Attorney General of a province, any book, pamphlet, newspaper, or other printed, typewritten or otherwise written matter, containing any picture or photograph of a person accused of or condemned for any indictable offence or offence punishable upon summary conviction, or containing any picture or photograph of any assistant or accomplice of such person, or any picture or photograph of any instrument used by such person, assistant or accomplice; or—

So if the ends of justice are going to be served by the publication of such pictures, the proprietor of a paper or those in charge, may apply to the judge of the court of the province, or to the Attorney General and publish such picture with the authorization of those parties, if the necessity arises. I admit in some cases there would be necessity in order to find a criminal, to publish his picture—say in the case of a man who stole money from a bank—but I have provided for that in the clause cited, so that a man who had changed his place of residence might be apprehended, and thus the ends of justice served. Under all these circumstances, without further going into the moral point of view, or discussing the harm coming out of such publications, I submit that this is a good Bill.

I am not blaming newspapers for not doing more for men who deserve to have their pictures published, but I could mention a case of heroism in which the picture of the young hero ought to have been published all over the country, yet the newspapers did not do so. I refer to the case of a young man named Barbeau who gave his life to save a young girl. At Quebec, a boat was overturned and a young man and a young girl were thrown into the water. Without thinking one minute of himself, young Barbeau took off his coat and plunged into the water and rescued the young girl who had sunk to the bottom of the river, and brought her to the shore, and saved her. The young man himself was so much exhausted that he fell back into the water, and was drowned. The newspapers did not publish the picture of this young man of eighteen or twenty. They do not publish such acts of heroism, but they publish the dirty faces of criminals and scoundrels all over the country. And not satisfied with publishing the pictures of criminals of this country, they go to the other side of the line and publish those of all the dirty criminals in the United States. So I trust, that every hon. member of this House will heartily support this Bill, whose object is to prevent such publication.

Hon. Mr. CLORAN—I heartily concur in the remarks just made by the senator from Grandville (Hon. Mr. Choquette). He is an old newspaper man himself, as I have been one in my day, but I know that in my day we would never attempt to do what has been the custom for the last twenty or twenty-five years. In the good old days of journalism, we would never think of placarding criminals on the front page of our newspapers, and sending them into the homes of our Canadian families. To-day

the mother or father of a family, who have the welfare of their children at heart, and the guidance of their moral development, will take care that the most of our newspapers shall not be put in the hands of the children. That is a terrible state of things for a civilized community to live in to have to watch the daily newspapers in order to see that there is nothing in them that will nip the bud of virtue in the souls of the young. The word has gone forth, 'Woe be to him who gives scandal to the young.' Well, I wonder how much woe will attend those men who daily and hourly put scandal before the young of this country, as well as of other countries. If they are not able to hold themselves, then let the law take hold of them. The senator from Grandville is doing a wise and prudent thing in asking Parliament to arm the courts of justice with sufficient authority and power to surpress this growing evil, which in the first place is a disgrace and in the second place is a danger to the community. There is no need of entering into elaborate illustrations of what the newspapers are doing in other countries. They are bad in one, and worse in another. There are things published in the French press of France that would not be tolerated in any ordinary, common house throughout Canada. There are things published in the large daily papers, with wide circulation, that would not be tolerated in any Christian home; and we are stepping along the same line too rapidly. It is time to call a halt. We are asked to do so by this amendment to the Criminal Code, which is a very simple one, empowering our judges and our courts to put an end to this. When this law is passed, proprietors of those papers who are making their lucre—filthy lucre at that—out of these publications, will be wise and prudent enough to put an end to it. They will not wait to have the courts order these publications seized; they will end the practice themselves. As the hon. Senator pointed out, the proprietor of one of the largest daily newspapers in the Dominion of Canada was asked why he published these things, and what was his answer? His answer was: 'Well, I have got to do it because the others are doing it.' Now, think of that answer from a man who is making hundreds of thousands of dollars a year out of publications widely circulated throughout the Dominion and the Empire. He has not the courage to stand up and say, 'I will not do it.' There have been papers in Canada which had the courage of their convictions, such as the Montreal Daily Witness, which would have never descended to such depths as this; but the Montreal Witness has had to pay for its virtue; it had to go into bankruptcy. The Montreal Gazette is a clean newspaper that never publishes these things. The hon. Senator from Grandville (Hon. Mr. Choquette) read a short item from the Gazette of the 23rd of February, but he evidently did not fully appreciate the way the thing was put by the Gazette. To my mind that little item in the Gazette is worth more than if they had written a two-column editorial. It is full of irony and sarcasm; it is directed against those people who cater to the vile tastes of the people. What stronger language could the Gazette use? No, the Gazette has endorsed the position of the hon. Senator; and, moreover, the Gazette was really sarcastic in its article. 'You will have violent opposition,' it stated. From whom? Not from the social service reformers; not from the ministers, not from the bishops; but you will have violent opposition from this organization of filthy, dirty public opinion; that is the opposition you will get. Well, they have been afraid to express that opposition. Not one of the newspapers has dared to condemn the Bill, because they know they are in the wrong. And what makes their opposition the more lamentable is that, knowing they are in the wrong, they are still prepared to make their fortunes out of wrong-doing. That is a lamentable position for this country, and for the organs of public opinion to be in. I hold, with the highest authorities in the land, that the steps taken by the hon. senator from Grandville is a proper one. No later than two or three days ago one of the largest circulated papers in Canada, La Presse, received a communication from His Grace the Archbishop of Montreal, pleading that it should not discredit its columns and contaminate the country by such publications. Now, the proprietor of that paper is a Christian gentleman, and he yielded to this appeal, and from that day to this everything has been done to eliminate from the columns of that paper, at its own expense, all those placards of criminals, foul and evil. That proprietor has done this, but all newspaper proprietors have not done it yet, and this law is intended to make them do it whether they will or not.

Hon. Mr. LOUGHEED—It seems to me very undesirable that the Senate should

assume the responsibility of placing on the statute book legislation that cannot be enforced. Entirely apart from the moral aspect of this question—and I cannot say that I agree at all with the presentation of the case made by my hon. friend who has introduced this Bill—the practical consideration of such a provision must be taken into account. What will be the result of placing this amendment upon the statute book? It would mean that, except an agreement were entered into between all nations and Canada, you would preclude foreign newspapers from entering Canada.

Hon. Mr. CLORAN—Let them stay out.

Hon. Mr. LOUGHEED—There is no such statute law recognized in any other country, as that proposed by my hon. friend; consequently it would be equivalent to placing an embargo upon all literature, published abroad, entering into Canada. Now it must be quite manifest to hon. gentlemen that it would be utterly impossible to enforce such law as that. If my hon. friends will look at the Bill they will see that it is sufficiently wide and is so framed as to contemplate prohibiting the circulation throughout the whole Dominion of any literature, domestic or foreign, containing pictures of the character designated by my hon. friend. That would be entirely out of the question. Are we to deliberately amend the Criminal Code by placing upon the pages of our statute book a law looking to the exclusion from Canada of newspapers, of magazines, of literature of all kinds, containing this class of photograph? It cannot be enforced as against foreign literature, then it would be idle to seek to enforce it as against Canadian publications. I think it is only necessary for me to mention how impracticable that is, to refute the alleged desirability of placing this legislation upon the statute book. There is the further consideration which I would point out to my hon. friend, that if the publication of photographs is derogatory to morals, the depiction in the press by description or otherwise of the crime would be equally undesirable.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. CHOQUETTE—I am going to amend the Bill and put that in, too.

Hon. Mr. LOUGHEED—Consequently it would involve a prohibition being placed upon any attempted description of any individuals who might be charged with immorality or crime of any character whatsoever. This would be a 'blue' law of the most despotic character. It would be such a law as the press of Canada would not tolerate for a moment. Public opinion would not sanction our passing legislation of that character.

Hon. Mr. CLORAN—Yes it would.

Hon. Mr. LOUGHEED—I venture to say the moral tone of the Canadian press is equal, if not superior, to that of any other country.

Hon. Mr. KERR—Hear, hear.

Hon. Mr. LOUGHEED—And it would be a very great mistake to attempt to place upon our statute book any legislation reflecting upon the moral responsibility of Canadian journalism in the manner indicated. I believe there is enough sound sense in the Dominion of Canada, and particularly in that exercised by the journalists of Canada, to protect our good morals. No legislation of this kind should be passed that cannot be enforced; and this I say without hesitation could not possibly be enforced.

Hon. Mr. POWER—As a rule I agree with the hon. leader of the House, and I regret to say that at the present time I feel obliged to differ from him. The hon. gentleman's objections to the censorship, if one may call it, of newspapers and magazines, is apparently based on the impracticability of excluding from Canada newspapers published abroad which may come under the purview of this Bill if it should become law. Now I wish to direct the attention of the House to the fact that the objection taken by the hon. leader of the House applies to the law as it stands today.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. POWER—Sub paragraph (i) of paragraph (a) applies to the making, selling, circulating, etc., of—

(i) Any obscene book, pamphlet, newspaper, or other obscene printed, typewritten or otherwise written matter.

And also—

(ii) Any picture, photograph, model or other object tending to corrupt morals.

so that an order to carry out the law as it stands on the statute book to-day, we have to do just what the hon. leader of the House thinks is impracticable.

Hon. Mr. LOUGHEED—No; will my hon. friend pardon me—

Hon. Mr. POWER—It is only when you come to the portraiture of criminals that it becomes impracticable.

Hon. Mr. LOUGHEED—No; the distinction is this—that immorality is well recognized according to the Criminal Code as it is to-day, but my hon. friend has in view the creation by the statute of an act of immorality which to-day is moral. We propose to make immoral by this legislation what to-day is moral, what to-day is permissible.

Hon. Mr. CLORAN—Oh no. I take exception to that.

Hon. Mr. LOUGHEED—That is the distinction.

Hon. Mr. POWER—I really think that the object aimed at by the hon. gentleman from Grandville might be considered as covered by his paragraph (ii):

(ii) Any picture, photograph, model or other object tending to corrupt morals; or—

The hon. gentleman who introduced this Bill gave good reasons for supposing—and I think he is quite right in that—that the publication in newspapers of the portraits of great criminals is calculated to corrupt the morals of the young.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. POWER—There is no doubt that at the present day there is amongst all classes of the population a great desire for publicity, and a lad who might have a criminal tendency might be encouraged to do something which would lead to the publication of his picture in the newspapers throughout the country. I honestly do not see the difficulty which suggests itself to the hon. leader of the House and I think on the whole the better way would be to let this go to committee, and then if it needs to be modified we can modify it; but I do not think it would be to the credit of this House to reject this Bill at the second reading.

Hon. Mr. ROSS (Middleton)—I would like to ask the hon. gentleman supporting this Bill in what way it is immoral to publish the photograph of a man accused of crime? If I understand it, the discussion is proceeding on the theory that we agree on everything with the exception of subsection 3. Now the only thing that I see in that is that there is a brand new substantive offence created, namely the publication of the photograph of a man accused or convicted of crime, or of a man who assisted him, or of an instrument that he used—the photograph of his gun. Well, I must say that I think—and I speak advisedly—that the publication of the photographs of criminals has served the public interests at times.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. CHOQUETTE—In some ways.

Hon. Mr. ROSS—Yes, in some ways, and lead to the conviction of crime; but it beats me to find out in what way you can say that the publication of the photograph of a man accused of crime or of one of his assistants, or the instrument that he used, is in any way immoral or tends to immorality. In regard to all the rest of the Bill—the publication of obscene pictures and literature—I think the whole House agree with the hon. gentleman on that; but I would like to hear from him an explanation of why he would have the House say that the publication of the photograph of a man accused, say of murder, or of intent to do grievous bodily harm—because it runs down to indictable offences or offences punishable upon summary conviction. Suppose a case of chicken stealing, or something of that kind, I do not see why the morals of the whole or any part of the community should be corrupted because the man's photograph appeared in a newspaper. I think that that is too wide? If the clause relating to this photograph publication were taken out and the rest of the Bill allowed to stand it might be rather a good Bill.

Hon. Mr. CHOQUETTE—After the debate is closed I will answer my hon. friend.

Hon. Mr. KERR—Is not this a Bill to repeal subsection 1 of section 207 of the statute of 1909? Is it not a repeal of a section which deals with the publication of pictures? Does subsection 3 in any way improve subsection A of the statute of 1909? Perhaps the hon. gentleman will explain how it does.

Hon. Mr. CHOQUETTE—I did not catch exactly what the hon. gentleman said, but I have explained that section 207 of the Criminal Code of 1906 was repealed in 1909 and a new section was inserted in the code under "A" to include pictures and photographs. That, however, applies to indecent or obscure pictures and photographs. By

the Bill, section 207 of the code of 1909 is repealed and replaced by the clause in my Bill which includes the two sections and provides that the picture of a criminal shall not be published.

Hon. Mr. DAVID—Is paragraph 3 the only paragraph which contains something new?

Hon. Mr. CHOQUETTE—Yes. I prepared this Bill and gave it to the Law Clerk, and we included everything in one clause. Practically the only thing added is a provision to prevent newspapers from publishing pictures of criminals. Very often the pictures of murderers are published, and sometimes these pictures are accompanied by pictures of the weapons with which the crimes were committed. I have added the provision that without the authorization of a judge of a superior court, or of the attorney general of a province, such pictures or photographs shall not be published. They can authorize publication for the purpose of helping to attain the ends of justice, and the objection of my hon. friend from Hamilton is answered by that. The hon. gentleman put another question. He asked how the publishing of a picture can affect the morals of a boy or girl. I am surprised that a man of his age and experience should put such a question. Take for example the picture of a young girl eloping with a man or stealing money. Its appearance in a newspaper might lead young girls to regard such a person as clever—that she was doing something heroic. It might not affect her morals, as we regard morals generally, but it would affect her view of life, and I am surprised that my hon. friend does not see reasons for objecting to the publication of such pictures in the press. The hon. gentleman from Halifax has answered the objection of the leader of the Government very completely. I see from the few objections that have been raised to the Bill that it meets public opinion. If the Bill is given the second reading now, I am prepared, when it goes to committee, to make any further explanation that may be desired. I am prepared also to consider any suggestions for the improvement of the measure. I have in view an amendment to provide that newspapers shall not publish detailed reports of crimes or trials of criminals. The facts of such cases might be published in a few lines; but I ask hon. gentlemen to help me to frame some clause to prevent the publication of objectionable details, which can have only a prejudicial effect on the morals of the community. Such publications demoralize boys and girls; they should not be allowed to read such stuff. I do not want to interfere too much with the press, I having been a newspaperman myself, and more or less connected with the press for nearly forty years. I was disgusted last summer to read the reports and see the pictures published in connection with this Thaw case, in Sherbrooke; I regret to say that young women and boys followed Thaw about in order to have themselves photographed with him, and in order to get their pictures published in the papers. Some young ladies went so far as to send flowers to Thaw. It was perhaps done without any evil intention, but it was a shame all the same.

Hon. Sir MACKENZIE BOWELL—This is a question which affects others besides publishers; but how the morals of the people are going to be affected by publishing the photograph of a horse thief, or of a man who steals a pig, I am at a loss to know. There is a great deal more danger to the morals of the people in publishing the evidence which is given in many of these cases. The publication of the details of crime in the newspapers may, by suggestion, lead others to follow the example of the perpetrators. We know how the law of suggestion operates in cases of suicide. When the details of a suicide are blazoned forth to the world, you find in a month or two somebody else will end his life in the same way. That was forcibly brought to my mind in a number of cases that occured in the city of Toronto. A very prominent merchant, desiring to commit suicide, threw himself over the High bridge which crosses the ravine at Rosedale in the northern part of Toronto. Less than a month afterwards somebody followed suit. A number of cases of that kind have occurred within a few years. Nothing was heard of suicides of that character until the details of the first one were published to the world. If my hon. friend could frame a clause that would prevent the publication of nauseous evidence, which is immoral in its character, he would confer a benefit upon the community.

Hon. Mr. CHOQUETTE—I just said a moment ago that I intended to ask the House to help me to frame a clause which would prevent the publication of such matters.

Hon. Sir MACKENZIE BOWELL—To my mind this measure is utterly impracticable, and I cannot for the life of me see how it would have the effect my hon. friend desires upon the young generation of the community. The measure is so broad in its character, it would be utterly impossible to have it carried out for many reasons that I do not propose to enter into just now. One feature in connection with it is that publishers of newspapers might find it to their advantage, to be prevented from publishing the photographs of thieves and rascals of both sexes, because it would enable them to save money. The effect of this measure would be to relieve them of that expense. I am not so sure, however, that the remarks made by the hon. gentleman from Montreal apply to newspapers of the character of the Montreal Gazette. Now that is an exemplary publication, and not the only one, I am glad to say in Canada. It does not indulge in those extremes that many publishers of newspapers do. If I might make a suggestion to the hon. gentleman, it would be that he allow this Bill to stand and see if he cannot frame a clause in the direction of the suggestions I have made. I do not think it would be advisable to push this measure to a vote in its present form. There are many in this Senate, I have no doubt who, like myself, would lend their aid to the accomplishment of the object the hon. gentleman has in view but it is monstrous to take a clause, such as the one we are asked to consider to-day, and pass it in its present shape. Any publisher who has anything to do with newspapers, knows that the clause as it reads is impracticable. In any trivial case tried in a court the publisher would have to ask the judge's consent before he could publish a likeness of the person on trial. The accused might be just as honest looking and as good looking as my hon. friend himself, and no one would suppose, to see his photograph, that he was such a bad character. Who is to draw the distinction? I have seen many photographs of criminals published in papers, and they have looked honest, and yet were thieves from head to heels. I throw out these suggestions, having had some little experience myself in the publication of a newspaper, I do not see that any good can possibly be obtained by the adoption of the clause which the hon. gentleman proposes to add to the Criminal Code.

Hon. Mr. GORDON—The reflections which have been cast upon the press of this country by the hon. gentleman who introduced this Bill are absolutely unwarranted. We have in Canada the cleanest press to be found in any country, unless I am fortunate enough to read only the papers which do not publish those obscene pictures. It may be that there are the other kind, and I should like the hon. gentleman who has introduced this Bill to favour me with a copy of some of the papers he has referred to which have published obscene pictures. I read most of the leading papers, as well as a great many of the minor country papers throughout the whole Dominion, and as yet have to see in the ordinary Canadian newspaper any obscene pictures.

Hon. Sir MACKENZIE BOWELL—Hear, hear.

Hon. Mr. CLORAN—Not necessarily obscene.

Hon. Mr. GORDON—I am not contradicting what my hon. friend has said just now, or saying anything about that: I am simply saying that the remarks which fell from the lips of the hon. gentleman who introduced the Bill would lead one to believe that our papers were publishing obscene pictures. If the hon. gentleman will be kind enough to favour me with a copy of some of the papers with these pictures, I may withdraw some of my remarks.

Hon. Mr. BOSTOCK—Listening to this discussion, it seems to me the proper course is to allow the Bill to go to committee and see whether these clauses cannot be amended in such a way as to meet the objections that have been expressed. I have not heard any hon. gentleman who has been discussing this question object to the principle of the Bill, and I have heard a great many reasons given as to why we should try and do something to protect the young people of this country further than they are protected at the present time. There is no doubt that among a certain class of people the desire for notoriety plays a very important part in their makeup, and that the very fact of these criminals having their pictures and an account of their lives published in the public press as the hon. gentleman from Belleville said just now has the effect of making other people want to follow their example. That matter was brought to my attention some time ago very strongly in the case of the holdups that we had in British Columbia. The effect of those holdups and the prominence that was given to the history

of those men, what they had done, and their pictures in the public press, I think had a decidedly bad effect on the young people of that particular part of the country, and the sympathy that unfortunately seems to arise amongst the public in some of these cases was on that particular occasion very noticeable. I do not know whether hon. gentlemen know that the population of Kamloops turned out very largely in order to say good bye to Bill Miner, when he was sentenced and sent down to New Westminster. It struck me at the time as a most extraordinary thing, and was to me at any rate a great surprise to find the sympathy of the people, or to see how people would look upon a matter of that kind, and I think we cannot do too much to try and prevent as far as possible the notoriety that is sometimes given to these people.

Hon. Mr. GORDON—I would like to ask again if the hon. gentleman would favour me with some of those papers.

Hon. Mr. CHOQUETTE—The hon. gentleman can find them in the library. I have here the Montreal Sunday Herald. Here are two pictures of Evelyn Thaw. She looks very well, but I am told she is not really as pretty as she is painted. Here is a Montreal Star, August 20, giving the picture of Evelyn Thaw, and then we have the picture of Thaw between two prisoners, and Thaw's mother, the doctors, and all the rest. I have here the Montreal Star giving the picture of the scene at Coaticook and the picture of another criminal named Campbell and the woman with him. Here is a picture of Thaw going out of the court house and a lot of ladies. I am willing to amend the Bill to meet the views of hon. gentlemen. Let it go to the committee next week, in the meantime the newspapers will make their objections and I will be willing to accept some compromise.

Hon. Mr. KERR—Might I suggest that the Bill stand over until another day in order that we may look into it more closely.

Hon. Mr. LOUGHEED—If we pass the second reading we affirm the principle of the Bill.

Hon. Mr. KERR—I move that this debate be adjourned until Wednesday next.

Hon. Mr. CHOQUETTE—I have no objection.

The Senate adjourned until 3 o'clock tomorrow.

THE SENATE.

Friday, March 6, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (K), An Act respecting certain patents of Rudolph Goldschmidt.—Hon. Mr. DeVeber.

Bill (L), An Act respecting certain patents of Rudolph Goldsmith.—Hon. Mr. DeVeber.

THIRD READINGS.

Bill (B) An Act respecting the Pollution of Navigable Waters.—(Hon. Mr. Belcourt.)

Bill (30) An Act respecting the Grand Trunk Pacific Railway Company.—(Hon. Mr. Kirchhoffer.)

Bill (19) An Act respecting the West Ontario Pacific Railway Company.—(Hon. Mr. Young.)

Bill (18) An Act respecting the Tillsonburg, Lake Erie and Pacific Railway Company.—(Hon. Mr. Young.)

Bill (17) An Act respecting the Ottawa, Northern and Western Railway Company.—(Hon. Mr. Young.)

Bill (16) An Act respecting the Lachine, Jacques Cartier and Maisonneuve Railway Company.—(Hon. Mr. Young.)

Bill (15) An Act respecting the Grand Trunk Railway Company of Canada.—(Hon. Mr. Kirchhoffer.)

BURRARD INLET TUNNEL AND BRIDGE COMPANY BILL.

REFERRED BACK TO COMMITTEE.

The Orders of the Day being called:

Third reading (Bill 11) An Act respecting the Burrard Inlet Tunnel and Bridge Company, as amended.—(Hon. Mr. Bostock.)

Hon. Mr. POWER—The hon. gentleman from Monte Creek, in whose name this Bill stands, has asked me to move that it be not now read a third time, but that it be referred back to the Committee on Railways, Telegraphs and Harbours, for further consideration. It is found on careful inspection that the language of the Bill does not just meet the intentions of the committee. I, therefore, move, seconded by the Hon. Mr. Dandurand, that the Bill be not now read the third time, but that it be referred back to the Committee on Railways, Telegraphs and Harbours, for further consideration.

Motion was agreed to.

CALGARY AND EDMONTON RAILWAY COMPANY BILL.

SECOND READING.

Hon. Mr. YOUNG moved the second reading of:

Bill (12) An Act respecting the Calgary and Edmonton Railway Company.—(Hon. Mr. Young.)

Hon. Mr. POWER—I desire to call attention to the fact that in this Bill there is a completely new departure with respect to the length of time which the company is given to begin operations. In all the statutes up to the present day, the present regulation has been that the time shall be two years, and I find that in the other House they have reduced the time to one year. Any one who knows anything about the difficulty of making financial arrangements, in order to float railway companies in the old country, must know that one year is altogether insufficient. I simply wish to call the attention of the committee to the fact.

The motion was agreed to, and the Bill was read the second time.

SECOND READINGS.

Bill (14) An Act respecting the Eastern Canada Savings and Loan Company, Limited, and to change its name to the Eastern Canada Savings and Loan Company.—(Hon. Mr. Ross, Middleton.)

Bill (24) An Act respecting the Canadian Railway Accident Insurance Company, and to change its name to the Globe Indemnity Company of Canada.—(Hon. Mr. Dandurand.)

Bill (26) An Act to incorporate Pacific, Peace River and Athabasca Railway Company.—(Hon. Mr. Bostock.)

Bill (34) An Act respecting the Dominion Atlantic Railway Company.—(Hon. Mr. Roche.)

Bill (36) An Act respecting the Joliette and Lake Manuan Colonization Railway Company.—(Hon. Mr. Belcourt.)

Bill (37) An Act respecting the Ottawa and Ungava Railway Company.—(Hon. Mr. Tessier.)

Bill (39) An Act respecting the Thessalon and Northern Railway Company.—(Hon. Mr. Ross, Moosejaw.)

Bill (42) An Act respecting the Esquimalt and Nanaimo Railway Company.—(Hon. Mr. Bostock.)

Bill (44) An Act respecting the Vancouver Life Insurance Company of Vancouver, B.C., and to change its name to the Vancouver Life Insurance Company.—(Hon. Mr. Bostock.)

Bill (46) An Act respecting the Erie, London and Tillsonburg Railway Company.—(Hon. Sir Melvin Jones.)

Bill (49) An Act respecting the Saskatchewan Central Railway Company.—(Hon. Mr. Davis.)

Bill (52) An Act respecting the Central Railway Company of Canada.—(Hon. Mr. Pope.)

Bill (55) An Act respecting the Quinze and Blanche River Railway Company.—(Hon. Mr. Belcourt.)

Bill (47) An Act respecting the Lake Erie and Northern Railway Company.—(Hon. Mr. Ratz.)

Bill (48) An Act to incorporate the Peace River Tramway and Navigation Company.—(Hon. Mr. Bostock.)

Bill (60) An Act to incorporate the United Empire Loyalists' Association of Canada.—(Hon. Mr. Kirchhoffer.)

Bill (G) An Act for the relief of Gertrude Carmen Birks.—(Hon. Mr. Pope.)

Bill (H) An Act for the relief of Rose Ethel Freedman.—(Hon. Mr. Derbyshire.)

Bill (I) An Act respecting the Montreal and Lake Victoria Railway Company.—(Hon. Mr. Béique.)

The Senate adjourned until Tuesday next at three o'clock.

THE SENATE.

Tuesday, March 10, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE LATE SIR GEORGE ROSS.

MOTION.

Hon. Mr. LOUGHEED—It has been suggested to me that any remarks with reference to the death of our late colleague Sir George Ross should be deferred until to-morrow. With that I agree. In the meantime I would suggest, out of respect for the memory of our late colleague, and as a small tribute of that regard which we entertained for him when in life, that the Senate should adjourn for this afternoon until to-morrow. I therefore have the honour to move, seconded by the Hon. Mr. Power, that the Senate adjourn until to-morrow afternoon.

The motion was agreed to.

The Senate adjourned until to-morrow afternoon at three o'clock.

THE SENATE.

Wednesday, March 11, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

MAILS BETWEEN ASHCROFT AND FORT GEORGE.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

1. What are the names of the contractors at present carrying the mail from Ashcroft to Fort George and other points North of Ashcroft?
2. When did they take over the contract?
3. What amount are they receiving per annum from the Post Office Department for this contract?
4. How much more are they receiving from the department than was paid to the former contractors per annum?
5. Are the present contractors to receive any additional subsidy on account of the establishment of Parcels Post Service throughout the Dominion?
6. If so, how much does it amount per annum?
7. Has any special arrangement been made about the carriage of seed grain over this route?

Hon. Mr. LOUGHEED—The answers to the hon. gentleman's questions are as follows:

1. James C. Shields.
2. October 1, 1913.
3. $125,000 per annum.
4. The difference between the price now paid and that under the former contract is $59,800 per annum, but as the British Columbia Express Company, former contractors, refused to perform the service after September 30, 1913, for less than $170,000 per annum, the department will save $45,000 per annum by the present arrangement.
5. There is to be no additional payment unless the weight of all classes of mail matter exceeds 1,000 pounds per day.
6. This will depend on the conditions as set forth in answer No. 5. The department is unable to give an estimate until it has been established whether the daily limit of weight is exceeded.
7. No. Seeds which must now be paid at parcel post rates will receive the same treatment as other classes of mail matter.

HYDROGRAPHIC SURVEY IN BRITISH COLUMBIA.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

1. Has any report been issued by the Government of the work done by officials of the Interior Department in the measurement of the amount of water in the streams, rivers and lakes of the railway belt in British Columbia?
2. If so, when was this report issued?
3. Has the work of measuring the water in these streams, rivers and lakes been kept up continuously from the time it was established to date?
4. If so, can the names of the streams, rivers and lakes so measured be given and the results of the measurements?

Hon. Mr. LOUGHEED—The answers to the hon. gentleman's questions are as follows:

1 and 2. A report, covering the stream measurement work of the British Columbia Hydrographic Survey of the Department of the Interior, is now in the hands of the printers, and will be published as soon as possible.

3. Yes.
4. Yes.

TRAIN SERVICE ON INTERCOLONIAL RAILWAY.

INQUIRY.

Hon. Mr. POIRIER rose to—

Call the attention of the Government on the insufficiency of the train service on the Intercolonial, in certain respects, and ask if it is the intention of the Minister of Railways and Canals, to re-establish the train known as the Ocean Limited, between Montreal, on the one side, and St. John and Halifax on the other?

He said: If any hon. gentlemen have business in the Maritime provinces, and wish to go there quickly, they cannot do so at present—at least not from Ottawa. There is no direct connection at Montreal for passengers leaving Ottawa and wishing to go to Moncton, St. John, or Halifax. Leaving here in the afternoon, passengers are compelled to spend the whole night in Montreal and take the next day's train, unless they stay up all night and board the train from the West, which passes here at four or five in the morning. That is most unsatisfactory. There should be direct connection between Ottawa and the Maritime provinces via the Intercolonial railway, and we should not be forced to go by way of the United States, when in a hurry to reach our destination, as most of us usually are. I do not know whose fault it is, and I do not wish to lay the blame of this condition of affairs at the door of any one particularly, but there must be bungling somewhere. No doubt Mr. Gutelius, against whom I have not a word to say, is bent upon making the Intercolonial railway a paying institution, and showing some surplus on the right side of the balance sheet at the end of the year. That is all right, but that is not the purpose—the raison d'être—of the Intercolonial railway, as hon. gentlemen all know. At Confederation the Intercolonial railway was a condition, sine qua non, a link between the east and the west, intended to benefit equally the east and west, which it does.

Experience has shown that it is the west that is most benefited, for the reason that the freights for oceanic trade from Montreal to Halifax cost no more than freights from say Moncton, to Halifax or St. John. The west is benefited by the Intercolonial railway as much as the east. I state this in order to dispel the fiction which has existed all along, that we of the Maritime provinces are the only ones to benefit by the Intercolonial railway. The Intercolonial railway should be a service for the general benefit of the public, but I fail to see that it is, at least in respect of travellers; for going down to the Maritime provinces takes two days with a night's stay in Montreal. Formerly we could leave Halifax, St. John, Moncton, and other places, say to-day, and arrive at Ottawa the next day in time to vote. We cannot do this now; it takes two days unless we go by way of the United States. This is unfair, and it creates in the Maritime provinces an impression that I should like my hon. friends of the Cabinet to take heed of. I have brought the question up, not so much in the spirit of criticism primarily, as with the hope of having this cause of complaint removed. I also wish to call the attention of the Government to the fact that the present state of things is doing it enormous injury throughout the land, more especially throughout the Maritime provinces.

Now, hon. gentlemen of the other side, let me tell you that it is useless for you to go out of your way and reject such schemes as good roads and the farmer's help, etc., in order to be, as it were, an adjunct to the Liberal party in the other House.

Hon. Mr. CHOQUETTE—No, that is not correct. We never rejected the Bill; we amended the Bill.

Hon. Mr. POIRIER—You amended it so much that, with its head cut off, it is without any practical existence.

Hon. Mr. CHOQUETTE—We amended it in the interest of the country.

Hon. Mr. POIRIER—Communications between Ontario and the Maritime provinces are now in a very queer state. We have three railways, for there is another railroad, the Transcontinental railroad. That road was conducted in such a way that the ties on one end of the line are rotting, while the other end is uncompleted. When the road is finished some time hence, that part from Moncton to Edmundston will have to be—I do not say rebuilt again, because certainly it has a splendid roadbed—but the ties will have to be renewed just as if the road had been in use five years, although it is not yet in operation. Therefore, with two Government roads as it were—because we may well call the Transcontinental a Government built road too—with two roads from Montreal and Ottawa direct to Moncton, we have not got the service that the Canadian Pacific railway gives with its round-about route. Now, is there any saving by that arrangement. I inquired, and from what I could get officially, I find that there is really no saving. The public, who are in a hurry—for this is a fast century and the country is inhabited by fast living people—take the other road, and I am told that there is no increase over what there was before of passengers on the regular old train, since the Maritime express has been cut off. People either take the other route, or do not travel. The freight, the express and the mail business is larger and heavier, however, which necessitates one of two things—either putting on an additional engine, or leaving the train to one engine with too many coaches to haul. The consequence is that the trains are almost invariably behind time, all of which adds to the present unsatisfactory service of the road. On my way up to Ottawa I met travellers at Campbellton, and their language was by no means of a mild or conciliatory nature. They vowed that the next time, rather than spend a whole night at Campbellton, they would go back by way of the St. John and Vanceboro to Montreal, and could do it in less time, though it doubled the distance to be travelled. The Sunday train is also cut off. Now I am an observer of the Sabbath—as much so, as any one in the House—but I do not see how observance of the Sabbath is promoted by an arrangement under which a train leaves Montreal Sunday morning, while none leave on Saturday morning through to Halifax and St. John. I hope that the Government will see its way either to restore the Ocean Limited, or have the time table of its one daily train so regulated that it may, and can, and will connect with the train West, or at least with the trains coming to Ottawa. This is a right we demand. If there be a surplus on the Intercolonial railway operation all the better, but the first object of the Intercolonial railway is to give a good service to the public, and satisfaction to the travelling public.

Hon. Mr. POWER—I had not observed that the notice of the hon. gentleman from Acadie was on the paper for to-day or I should have been prepared to say something on the subject to which he has called the attention of the House. It is a subject which is really a very important one. I just wish to say that I entirely concur in the observations that the hon. gentleman has made. It is a fact that we have gone back twenty years or more in the management of the Intercolonial railway. Formerly one could leave Halifax in the afternoon and get here the following day. The hon. gentleman says, and truly, that now you cannot do that. I know that formerly a train left Ottawa at half past eight in the morning and it connected at Montreal with the Maritime express, which left at noon, or a quarter after twelve, and got to Halifax the next afternoon about four o'clock. Now one cannot do that. If one proposes to go by the Intercolonial railway he has to go down in the afternoon, and spend the night in Montreal in order to catch the Intercolonial railway next morning. I think that is decidedly a retrograde step, and from some statements made by the minister, the Intercolonial railway at the present time, and for some time past, has not been making as good a showing as it made during the last few years. So that there is no doubt that the road is not being operated in such a way as to give the greatest accommodation to the travelling public, and that it has not been operated in such a way as to attract the largest share of business to itself. There is just one circumstance which may account for that. Since the change of Government the management of the Intercolonial railway has been put in the hands of a gentleman who had been in the service of the Canadian Pacific Railway Company. All the head men working on the Intercolonial railway now are gentlemen who have been in the service of the Canadian Pacific railway, and I see it has been stated that the general manager, Mr. Gutelius, was really only loaned to the Government by the Canadian Pacific company for two years. All these gentlemen have been transferred from the Canadian Pacific railway to the Intercolonial railway. If they were doing their best to help out the Canadian Pacific railway in its competition with the Intercolonial railway, and to put the Intercolonial railway out of business, they could not pursue a course better calculated to carry out their object.

Hon. Mr. DANIEL—I did not expect to take part in a discussion of this kind, but the statements that have been made by both hon. gentlemen who have just spoken, are absolutely borne out by the facts. I think we have always found the Intercolonial railway a sort of bone of contention—especially by those people who do not live in the Maritime provinces. There is, unquestionably, a sort of discontent among the people in the other parts of the Dominion over the fact that the Intercolonial railway is not always paying a big surplus. But the Intercolonial railway, of course, as has been suggested, is on an entirely different basis from any other railway in the country; it was a bond which resulted in Confederation; without the Intercolonial railway there would have been no Confederation for a great many years. Of course the Intercolonial railway has always been denounced as being a political railway, run in the interests of the political party which happens to be in power at the time, and there may be something in that also. When this Government came in, as I understand it, they endeavoured to make the Intercolonial railway a non-political railway, and they put it in the hands of a commission, which was to run it on strictly business principles.

The result I think has been this: that while the former style of business satisfied one political party in the country, now the present style of doing business satisfies neither political party. The gentleman who runs the Intercolonial railway now, Mr. Gutelius, has been an employee of the Canadian Pacific railway, and the result of the change gives some truth to the remarks of the hon. gentleman from Halifax that the changes made are really redounding to the benefit of the Canadian Pacific railway. If I am travelling to Ottawa and am not pressed for time, I prefer to go by the Intercolonial railway, but the last two or three times I found it absolutely impossible to come by the Intercolonial railway. The fact is that in the city of St. John the Intercolonial railway has not, for years I think, catered to the business of that part of New Brunswick; the Intercolonial railway could have done in the past, and could now do a very much larger business with the city of St. John than it does. The Ocean Limited being taken off, has been the greatest possible drawback to the passenger traffic and the business of the Maritime provinces, and unless the Intercolonial caters to the business the same as any other first-class railway would do, the management cannot ex-

pect the road to expand. The statement of the case by the hon. senator from Acadia (Hon. Mr. Poirier) is absolutely true. Any one wishing to go to the Maritime provinces now from the city of Ottawa has to leave the day before, or get down there at a very early hour in the morning, leaving here in the middle of the night. This practically adds another day or half day to the time occupied in the journey to the Maritime provinces. I would be very glad if Mr. Gutelius could be in some way induced to see the error of his ways, in so far as his management of the Intercolonial railway is concerned. He has instituted a great many changes which have all been, as far as I know, in the direction of restricting the business of the road, and reducing the accommodation given to the patrons of the road. I hope the Government will keep in view the fact that the Intercolonial railway was not established simply for the purpose of earning a surplus or dividend, but was instituted for the accommodation of the passengers, and of business which may accrue, as between this part of Canada and the Maritime provinces.

Hon. Mr. LOUGHEED—This question came up in the House of Commons and was answered by the Minister of Railways as follows:

> In reference to the Ocean Limited, we have come to the conclusion to discontinue it between February and March. Last year we ran it for the first time in history throughout the winter and met with a considerable loss, a very great loss by doing so. The traffic is much less this year than last, and therefore we have come to the conclusion that it is not in the interest of the road to run the train. Another thing is that we are short of rolling stock on the Intercolonial railway, and if we continued the Ocean Limited we would not have an opportunity to clean and paint the cars, and put them in good condition for next year's traffic.

Hon. gentlemen will observe the Ocean Limited has only been taken off for two months. The intention is, I presume, to resume its operation on the 1st of April. If my memory serves me right, the Government has been sustaining a very serious loss in the operation of this particular train, estimated at about $1,600 per day. I may further say that it is regarded as good railway practice, well established in railway circles, to take off certain trains during the winter months. To my certain knowledge two or three, at least two, of the transcontinental trains of the Canadian Pacific railway are taken off during the winter months. Unfortunately the differences between the public and the railway management appear to be irreconcilable. I do not know whether the time will ever arrive when the public will view a railway system just the same as the management will, or whether it will ever be possible to reconcile the differences between the two. However, there is the situation, and the Government felt that under the facts mentioned in the statement of the Minister of Railways they were justified in taking off the train for the period mentioned, namely, two months.

Hon. Mr. POWER—Perhaps the hon. gentleman will allow me to say that the complaint, as far as I am concerned, is not so much the taking off of the Ocean Limited, as the fact that the Maritime Express has not been put back to the condition in which it was under the former administration. The fact that the Ocean Limited has been taken off is no reason why the Maritime Express should leave Montreal at eight o'clock in the morning instead of at twelve. In one case it does not accommodate the passengers from the west and in the other case it would.

Hon. Mr. GORDON—It seems to me rather unfair to base an argument against the service on the Intercolonial railway just because a train does not leave Montreal at night.

Hon. Mr. WATSON—No, at twelve o'clock.

Hon. Mr. GORDON—Because a train does not leave Montreal at noon. As I understand it, there is a train leaving Montreal for the Maritime provinces in the morning, and in order to go from here to Montreal to get that train, you have to stay in Montreal over night.

Hon. Mr. POWER—Yes.

Hon. Mr. GORDON—That is basing the argument on the supposition that practically all the traffic goes from Ottawa. You can leave Toronto, you can leave mostly any town in Ontario and arrive in the morning in time to catch that train. Why would you not expect the Canadian Pacific and the Grand Trunk railway, if that is such an important part of the business, to put a train on here and make connections with that train rather than with the other one?

Hon. Mr. POWER—And leave here at 4 o'clock in the morning.

Hon. Mr. GORDON—Yes, if you are anxious to get there at night. As the leader of the House has said, all the other railways, during the winter months, decrease their service and take several trains off. As an additional argument why other points should be considered in dealing with the travelling public which comes from Ottawa, I would say I believe the bulk of the travel between Ottawa and the Maritime provinces is composed mostly of what is known as 'deadheads,' whereas travel from other points is not.

BILL INTRODUCED.

Bill (M), An Act respecting the Grand Trunk Railway Company of Canada and the Canada Atlantic Railway Company.—Hon. Mr. Thompson.

THE LATE SIR GEORGE ROSS.

Hon. Mr. LOUGHEED—Before the Orders of the Day are proceeded with, it is my sad duty to direct the attention of the Senate to the death of our colleague, Sir George Ross, within the last few days. I may say that it has been my sorrowful duty since I have had the honour of occupying my present position, and within the last two years, to direct the attention of the Senate to the death of not less than three of the most distinguished members of this body who were successively leaders of the Liberal party in the Senate of Canada. I refer to the death of Sir Richard Cartwright, Sir Richard Scott and Sir George Ross, men who filled a very large space in the public eye in the history of Canada during their long lives, and who reflected very great lustre indeed upon the Senate, to which we have the honour to belong. The death of our late colleague, Sir George, was, in a sense, entirely unexpected. At the beginning of this session he gave promise of several long years of usefulness. His mental, and what physical strength he had, seemed in a large measure to be unimpaired. We found him interesting himself at the beginning of this session in the proceedings of the Chamber in as active a manner as at any time since he became a member of the Senate, and it was not until practically the end of January that we found his health had become so impaired that he had to leave for his home in Toronto. It was, therefore, entirely unexpected at the beginning of the session that we should have to mourn his death within so short a time.

To attempt to review the life of the late Sir George Ross—the public services which he rendered not only to his native province but to the Dominion of Canada,—would very largely comprise a review of the history of Canada, and more particularly that of his native province. Time will not permit me even to glance at the services which he rendered during his long public life. I doubt if there was any hon. gentleman engaged in the public life of Canada for the last generation, who more exclusively gave his services to the State. We find him entering the second parliament of Canada, shortly after Confederation, and becoming a very distinguished member of that body. He, at that time, came in close contact with the eminent Canadians who had laid deep and wide the foundations of Confederation, and who then and afterwards loomed up large on this page of our history. I have no doubt that the contact which our late colleague had at that time with those distinguished parliamentarians to whom I have referred, very strongly animated his intention to give his life very largely to the public service. We find him afterwards leaving the Federal field and devoting his entire services to the province to which he belonged. Few men in the province of Ontario occupied a more distinguished position than that which our late colleague filled. He was not only a prominent member of the Legislature of Ontario, but became a member of the Cabinet of that province and afterwards its Premier; and the legislative progress of that great province of the Dominion is undoubtedly very largely indebted to the very valuable contributions of public service rendered by the late Sir George. We find him particularly interesting himself in building up the educational institutions of that province. Few men were more closely identified with the erection of the educational fabric of the province of Ontario than the late Sir George Ross. As a public speaker he had few equals in the Dominion of Canada. His reputation I might say was national. There was not a Canadian within this broad Dominion but felt proud of his eloquence which from time to time he listened to on public occasions. He certainly gave a lustre to the reputation of this Dominion in parliamentary statement and discussion, and we in this Senate feel proud in saying that his contributions to public questions grace out 'Hansard' as models of parliamentary eloquence and discussion.

Hon. GENTLEMEN— Hear, hear.

Hon. Mr. LOUGHEED—Not only was he possessed of eloquent speech but he had a facile pen; he wielded the pen of a ready writer, and there are few libraries, either public or private within the Dominion of Canada, which will not be found to contain some of the valuable works written by our late colleague. He was an author of culture, of wide and experienced knowledge, and the literary works which he has left behind him are a tribute to that marvellous industry and broad knowledge and experience which always characterized his public life. I might say of his personal qualities, honourable gentlemen, that few men possessed more charm than the late Sir George. His personality was one that peculiarly appealed to the affection of those who came in contact with him; and notwithstanding the fact that for many years he was a victim of physical affliction which would have overwhelmed most men, we always found him cheerful and optimistic and taking a particularly cheerful outlook upon life. As a senator since 1907, those of us who came in contact with him—and I think I may safely say that every member of this Senate came into close contact with him in that capacity—we have to bear tribute to the industry and the deep interest he took in all the proceedings of this Senate. He identified himself with all its activities, with the business transacted on the floor of parliament as well as the work done in committees. His ripe judgment, his long experience, his parliamentary knowledge, and that experience which he gained as a legislator, acting in that capacity for some forty years, were certainly valuable contributions to the work which devolves upon this Chamber. I have to say, honourable gentlemen, that the members of this Senate mourn his death; and although he has passed from amongst us, yet pleasant memories of his personality will live with us and will be cherished by the members of this body for many years to come. (Applause.)

Hon. Mr. KERR—As a member of the Senate who has been associated with Sir George Ross in this House, and as an old acquaintance and friend, I desire to thank my honourable friend who represents the Government in the Senate for the kind words he has spoken of our fallen leader.

I agree with what my hon. friend has said concerning Sir George Ross, whose death is a distinct loss to public life generally, and especially to those of us who have been in political sympathy with him and have enjoyed the benefit of his advice as well as his able and eloquent expression of the views of his associates in the Liberal party.

Born in 1841 in the county of Middlesex, in the province of Ontario, his life extended beyond the allotted span of three score years and ten, and during the whole of those years his life has been an active and useful one. He passed through stirring times in the political history of Canada.

He first entered public life in 1872, when 31 years of age, and was a member of the House of Commons, representing his native county. He took an active part in the proceedings and debates of that House for eleven years, when he joined the government of the province of Ontario as Minister of Education, under the leadership of Sir Oliver Mowat. He continued in the same important office in the Hardy administration until 1899. He became premier of the province of Ontario, and held that high office until 1905. He then stepped across the House and led the Opposition until called to the Senate in the year 1907. No man has done so much as Sir George Ross to promote the cause of education in the province of Ontario.

Shortly after his appointment to the Senate he was honoured by his sovereign, who conferred on him the honour of knighthood.

He held many positions of honour and trust by the favour of his fellow men.

He was a member of the Quebec Interprovincial Conference in 1897.

Sir George was a director of one of our important trust companies, and of the leading Liberal newspaper of Canada for many years.

He was vice-president of the British Empire League, and of the Dominion Lord's Day Alliance.

He was president of the Canadian Authors' Association, and of the Manufacturers' Life Insurance Company.

During some years he was editor or contributor to several leading newspapers of his native province.

He was prominent in the Temperance Organization and Alliance.

He edited and published many useful works, scholastic, biographical and historical. Amongst these he was joint editor of the 'Life and Times of the Honourable Alexander Mackenzie.' He wrote 'Formative Influences in Canadian History,' Canada a Dependency of the Empire,' 'The

Historical Significance of the Plains of Abraham,' 'Titerary Factors in our Canadian Life,' 'Our National Outfit,' 'Citizenships and Higher Culture,' 'Preferential Trade,' 'Getting into Parliament and after,' and only a few days before the comemncement o fthis session of Parliament he published a most interesting and able work on 'The Canadian Senate.'

But it was not only as an author that he excelled—few men could rival him in the command of the English language, or in the faculty of moving, entertaining and convincing his audiences. He was an orator of high order.

His language was choice, his metaphors true, his logic sound, his eloquence captivating. He could carry conviction with any audience and sway it with the power of his words.

It has been well said of him that he was:

"A monarch of oratory."

"A faithful public man."

"A high authority on constitutional subjects."

"One exceeding dear to his friends."

"Alert, able and eloquent."

"A strenuous preacher of higher politics."

"No greater orator ever spoke in Ontario's Parliament."

"One of the most distinguished of Canada's citizens."

"A public man against whose integrity there has been no suggestion of reproach."

"A master of platform oratory."

"Without a superior in parliaments either of the Country or the Church."

"An enthusiastic Imperialist," and this perhaps he most appreciated.

Sir George Ross was beloved by his family and respected by an immense circle of associates and friends in every walk of life—in distant countries as well as throughout Canada, his native country, which he loved so well.

In later years he suffered much from the disease which in the final struggle for life proved fatal, but his genial temper and cheerful manner never forsook him even when in great suffering, so that only those who knew him best could appreciate the extent of his sufferings, or how dearly he paid for the effort he put forth in the delivery of the brilliant passages and periods with which his speeches abounded.

The recollection of his accomplishments, as well as his kind and genial manner will long remain in the memory of the members of this Chamber.

In his life he served his native country well. In his death he bequeathed to his fellow countrymen as an inspiration "Our best service to Canada and our truest loyalty to the empire."

In this sad affliction we will all unite in expressing our heartfelt, our sincerest sympathy with the family of Sir George and to Lady Ross, whose devotion to Sir George contributed so much to cheer, to brighten, and to make happy the later years of his life.

Hon. Mr. POWER—It would not appear to me to be necessary that anything should be added to that which has been said with respect to the late leader of the Liberal side of this House. I cannot help, however, expressing my admiration for the speech made by the hon. leader of the Government. To undertake to add anything to what that hon. gentleman has said would, it seems to me, be like undertaking to gild refined gold. The hon. gentleman who has just taken his seat comes from the same province as our late leader, and if I venture to say anything it is because, coming from a remote portion of the Dominion, it is right that the sentiment of the lower provinces should be expressed on this sad occasion. While I was filled with admiration of the address delivered by the leader of the government, I almost felt that it would require the eloquence of Sir George Ross himself to do full justice to the occasion. I do not think that it is necessary to dwell on the biography of Sir George Ross. That has been fully dealt with by the leader of this House, and the hon. gentleman who has preceded me, and the details have appeared in the newspapers, and in the tributes that have been paid by both sides of the Ontario legislature. I venture to give one or two personal recollections of Sir George Ross. My earliest recollection of Mr. Ross goes back to the session of 1883. I happened to be in the gallery of the House of Commons; and there was a somewhat aggressive, and I may add, somewhat coarse member from Nova Scotia, who had been saying things he should not have said, and Mr. Ross got up and handled him in a most skilful way. I could not help feeling that it was a case of the bludgeon against rapier; Mr. Ross danced around that antagonist in a most skilful and amusing way, and hit him again and again with a sort of light and airy touch that was really very

pleasant to use to look at, and listen to. At that time he was, as some of the older hon. gentlemen here know, a man light of foot, and very nimble in his physical movements. I have never forgotten that particular occasion. From that time until he became a member of the Senate in 1907, I have no remembrance of having seen him. That was nearly a quarter of a century and when he came in here one could not help being struck at the great change in his physical appearance and constitution. He came up to us almost a helpless man physically, but although he came that way, and was not the nimble footed man he had been he had not been here long before we found out that his brain had not suffered, that his brain was as nimble as it had ever been. I do not propose to go into the history of his experience in Ontario, but every hon. gentleman knows that an immense amount of arduous and valuable work was crowded into the twenty-four years during which he was absent from this sphere, and in a smaller sphere. He was a progressive politician, and while I do not propose to go into the details of his Administration, there is just one thing that I think Sir George felt particularly proud of, and that was that he originated the scheme for building a railway into northern Ontario—the Temiskaming and Northern railway. One would naturally expect that when Sir George Ross came into this Chamber, having done so much very hard work, and at a comparatively advanced age and in broken health, that he would have looked upon the Senate as a place in which one could rest and be thankful. A great many of us do that, but that was not the case with Sir George Ross. Instead of that he continued to be industrious and to work just as he had before. On nearly all important questions that came before the Senate, he spoke at some length, and spoke in such a way as to show not only his oratorical powers which everyone recognized, but also a great deal of thought and research. He was a wonderfully industrious man. Now this thing appealed to me very much, and I suppose it did to all other members of the House, that here was this frail looking man who was not able to stand up, and yet in a room which every hon. gentleman knows is rather hard to fill, he made himself heard by every member of this House, speaking from his chair. He spoke sometimes for more than a hour at a time, without any apparent fatigue or difficulty. I think that was a sight that must have struck every hon. gentleman who stopped to think. But the departed gentleman did not confine himself to work bearing directly on the business of the House. During the interval between the session of 1912, and last year's session he published a book, an autobiography, a very interesting and somewhat voluminous work, giving the history of his own life from his own point of view—and I may say that the work was characterized by remarkably good taste, and an absence of egotism. Then during the recess since last session, the hon. gentleman prepared a work to which the hon. gentleman from Toronto has made special reference. That is a work on the Senate of Canada, its constitution, powers, and duties, an admirable little work, which I hope every hon. gentleman of this House will have the pleasure of perusing. I do not think I am superstitious, but really it seems to me hon. gentlemen that it was a Providential thing that, before he was called away, he should have written these two books, his own life, and the work on the Senate of Canada. One can say, referring to the parable of the talents in the Bible, that our late colleague did not bury his talent; he made the utmost possible use of the talents which the Almighty had given him; and I trust that he has gone to receive the reward which has been promised to those who do use their talents.

Just one word as to the hon. gentleman's character as a leader. Every hon. gentleman knows how he led the party in this House, but that is not always the most important part of a leader's duty, and the relations of Sir George with his followers were of the most agreeable and satisfactory kind. He was by no means an autocrat. He consulted his political friends, and was always ready to listen to suggestions, and even to act upon them when those suggestions did not altogether harmonize with his own views.

In conclusion I have to say—although that has been said practically already—he was perhaps unrivalled as an orator at the present day in Canada, and his eloquence was equalled by his industry; but probably what struck one most was something which has been referred to by both hon. gentlemen who have preceded me, and that is his unconquerable cheerfulness under grievous afflictions. The circumstances to which the hon. leader of the Government has referred as to the departure of three leaders of the Liberal party in this House within such a comparatively short time

only recalls to our minds the thought expressed by Burke—what shadows we are and what shadows we pursue.

Hon. Mr. BELCOURT—Our grief for the loss of the eminent Canadian, our colleague and friend, and our sympathy with his widow and his family and the people of this province and of the Dominion, and our sense of profound respect and admiration for his great and many virtues and for the long and so prolific and complex public career of Sir George Ross, could not have found a more fitting, more appropriate or more eloquent expression than that which it has been our privilege to listen to from those who have preceded me. What they have said—and they have said it well and truthfully—might well be left untouched, and remain as the full expression of our sympathy and appreciation. I am quite certain that I cannot add anything worth while to what has fallen from the lips of our hon. friends, and if I now crave your attention for a few moments it is not for that purpose, but merely and only in order that I may be permitted to accomplish what I conceive to be an obvious duty. When we are committing to the earth the remains of that once sterling and sturdy specimen of Scotch manhood, when the Canadian Parliament and Canadian press and the people of this province and the people of Canada are extolling the merits and achievements and the courage and great eloquence of our departed colleague, there is one portion of this community whose voice it seems to me ought to be especially heard in proclaiming those facts and in saying what a debt of gratitude it has contracted and will always owe to the late Sir George Ross. I refer to that community in the province of Ontario composed partly of Canadians of Irish origin and of Canadians of French origin who are united by the tie of a common religious faith; and I refer also to that other and smaller minority composed of French Canadians who on several occasions, and quite recently again have been obliged to strenuously defend the use of their mother tongue. While this community, this minority, joins heartily and fully in the praise and encomiums which are addressed to the memory of our late colleague, they claim the special privilege of saying now and always that they are under the greatest possible debt of gratitude to Sir George Ross because he on many occasions stood by and fought for those rights which are sacred to them, those rights which are near and dear to their hearts; those rights which they prize and value above everything else. At three different periods during his public career Sir George Ross became a valiant defender of those rights. About thirty years ago, when a large section of this province, whose motives this is neither the time nor the place to discuss, and the sincerity of whose misguided ideas and opinions I would not now even question, undertook to deprive the Roman Catholic minority of Ontario of its Separate schools, it was Mr. Ross, under the leadership of that other great Scotchman, Oliver Mowat, small in stature but of gigantic intellect, and of big, stout heart, who stood by the minority and successfully defended those rights which they held so dear.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. BELCOURT—And they did that at the risk of imperiling their political careers, and they put up the fate of their party and government as the stake of their earnestness and good faith. To the broad, liberal spirit of Sir George Ross, to his love of fair play and justice, and to his respect of the constitution of his country, the Catholic minority in Ontario owes the preservation of its schools and the preservation of the right of having taught to their own children in their own schools the tenets of their ancestral faith. They chose the honourable, if the more difficult and thorny path. It would have been easy, it would have been much easier, for them to have followed the crowd and to have drifted with the current. But they did not chose to do so; they fought for rights which were sacred and should be maintained, and to them—to Mr. Ross especially—do they owe a debt of gratitude for having preserved to them that sacred right. Then later on, about ten years afterwards—when a vicious attack was made upon the use of the French language in the Parliament of Canada and elsewhere by D'Alton McCarthy and others—it was Mr. Ross, who was at that time Minister of Education and who afterwards, when he became Premier of this province, aided and assisted in the creation, the organization, the maintenance and support of the bilingual schools of this province. And quite recently again Sir George was heard from on this subject and with great force and convincing arguments defending these schools and the reasons for their maintenance. To Sir George Ross, the smaller minority to which I have referred also, owes a debt of grati-

tude for having preserved to them the right of having taught in their schools, the language of their forefathers. Sir George Ross realized and never forgot that this has been, this is, and this will continue to be a bi-lingual country, and instead of deploring the fact he rejoiced at it. Little share did he take in the mistaken idea that unity of language is essential to national unity in Canada, or anywhere else. Not only was Sir George Ross favourable to the maintenance of the French language but on many an occasion he expressed the hope that the use of the French language would be extended and perpetuated; because he realized, as men are beginning to realize, and as men will more and more realize in the future, that the preservation of the French language on this continent constitutes one of the best and surest guarantees of the continuance of the British tie.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. BELCOURT—So it is, hon. gentlemen that on this occasion this minority to which I have referred, claims the special privilege of saying how grateful it is and how grateful it should and will be to the late Sir George Ross. With bowed heads, with our hearts filled with grief, with our minds pregnant with the sweet fragrance of the great virtues of Sir George Ross, with the echoes of his virile and captivating eloquence still ringing in our ears, to the ever good Christian citizen, to the true patriot and eminent statesman, we to-day offer the supreme homage of our esteem, our respect and our admiration; and speaking for this minority the sincere and cordial promise that we shall always lovingly cherish his very lovable memory. (Applause).

Hon. Mr. DAVID—Allow me to add a few words to the eloquent praise which honourable members of this House have just bestowed on our late colleague, whose death we all deplore. We all feel that the country has lost one of its most eminent citizens, one of its most cultivated and most luminous minds, one of its most brilliant orators; the province of Ontario one of its most glorious sons; the Senate a star of the first magnitude; the spirit of conciliation and tolerance, so essential to the peace and prosperity of this country, a powerful factor. It is a loss, a great loss for our political and intellectual life, where, during forty years, he ploughed a luminous furrow and sowed ideas and sentiments the fruits of which constitute a precious treasure. In addition to most varied gifts of the mind, he was endowed with most estimable qualities of the heart, with an unstinted kindness and with a spirit of justice and impartiality which characterizes the speeches and the books which he fortunately leaves to us. His eloquence was of the first order. There were electrical flashes in his great oratorical efforts and personal magnetism in the expression of his sentiments and of his thoughts. He is not entirely dead; his writings and his speeches have lighted fires, torches which will ever burn and continue to illuminate our political and literary life.

Death has for a long time with its dark wing cast a shadow on this valiant and courageous fighter, and it was only after a prolonged struggle that it succeeded in overpowering and defeating him. It must be proud of its victory for it had to deal with a hardy antagonist. It has been cruel towards us by removing from our midst a man who played such an important part in this House, by depriving us of an eloquence which imparted such a brilliancy to our deliberations.

Hon. Sir MACKENZIE BOWELL— I do not know that I can add anything to the eulogies and encomiums which has been passed upon our late colleague, and I may say frankly that my principal reason for rising is to pay my personal tribute to one with whom I have been associated for so many years. It was my good fortune to be in the House of Commons when our late colleague first entered it; and I call to mind many tilts—if I may use the expression—that passed between our late colleague and myself.

The many political fights we had never interferred with our personal relations and the good feeling which should always prevail between gentlemen occupying positions in Parliament, and who must necessarily differ on many of the questions which agitate the public from time to time. It was my good fortune to be in opposition to our late colleague during the many years we were thrown together in public life, and I repeat our personal relations were always friendly. Upon many occasions, as he himself states in his book, on entering Parliament he found that I was not very particular in the choice of the language I used when attacking a political opponent, but that never interferred with the kindly relations which prevailed between us. I deeply regret the loss to the country of our late colleague. The proba-

bilities are that with a mind constituted as his was, and with a mind constituted as mine is, and with our early associations, had he continued to live and remain in public life, we would have kept apart on the great questions agitating the country, but I am quite sure the feeling of opposition would never have been carried any further than a difference of opinion. I deeply regret the loss which the country has sustained in the death of one of its most gifted citizens.

BILLS INTRODUCED.

Bill No. 33, An Act respecting the Acadia Loan Corporation and to change its name to the Mortgage Corporation of Nova Scotia.—Hon. Mr. Power.

Bill No. 35, An Act to incorporate the Bank of Alberta.—Hon. Mr. Talbot.

Bill No. 38, An Act respecting the Sterling Trusts Corporation.—Hon. Mr. Kerr.

Bill No. 53, An Act respecting the Empire Life Insurance Company of Canada.

Bill No. 57, An Act respecting British Trust Company.

Bill No. 58, An Act to incorporate the Sudbury, Kippewa and Bell River Railway Company.

Bill No. 64, An Act respecting the London and Port Stanley Railway Company.—Hon. Mr. Donnelly.

Bill No. 65, An Act respecting the McClary Manufacturing Company.—Hon. Mr. Donnelly.

Bill (N), An Act respecting the Rainy River Radial Company.—Hon. Mr. Watson.

THE HAMILTON DIVORCE CASE.

MOTION.

The Order of the Day being called:

Consideration of the fourth report of the Standing Committee on Divorce to whom was referred the petition of Andrew Lorne Hamilton, together with the evidence taken before the said committee.—(Hon. Mr. Kirchhoffer.)

Hon. Mr. KIRCHHOFFER moved that the report be concurred in.

Hon. Mr. DAVIS—I should like to ask the Chairman of the committee with reference to this matter if he is in a position to give us information as to the manner in which the evidence in this case was taken, and if any fresh evidence has been offered. I understand that the committee has merely had the evidence taken last year reprinted, and that. it strikes me, is putting this House in a position of judging themselves. This case has been twice before the House. Some two years ago it was reported to the Senate and rejected by a large majority. Last year it was reported by the committee to the House again. There was some new evidence that time, and there was ground for the report which was submitted to the House. Last year they again rejected the report of the committee, and to-day we find the committee reporting this proposition to the House without any evidence whatever to back it up except the evidence that was taken a year ago. When this case was dismissed by this House a year ago, it was to all intents and purposes finished—it was dead. When the new case was entered into this year, to my mind it would be absolutely necessary to take evidence. Some hon. gentlemen may say, 'Well the evidence will be exactly the same as it was last year.' Is any member of this House in a position to say that any party who was giving evidence last year would give the same evidence this year. These gentlemen might speak for themselves, but I do not think they can speak for the witnesses. It is a strange proceeding that a lawyer will say to the committee, 'My witnesses will say exactly what they said before.' We do not know whether they would or would not. Rule 47 reads as follows:

> The petitioner and, if the respondent appears, the respondent, and all witnesses produced before the committee shall be examined upon oath or upon affirmation in cases where witnesses are allowed by the law of Canada to affirm: and the law of evidence shall, subject to the provisions in these rules, apply to proceedings before the committee, and shall be observed in all questions of fact.

I submit there was no evidence except what was taken last year. They assume the witnesses would say what they said before. The report looks like a slur on the intelligence of this House, and we are asked to stultify ourselves by going back on our action last year, when the report was rejected. On the very same evidence we are again asked to adopt the report. I do not think the House would be justified in accepting the report at the present time. I raise the point of order that the report is not in order under the rules of the House which say that the witnesses must be produced before the committee and examined on oath, which has not been done.

The SPEAKER—I am not prepared to give a ruling on this point because I do not know what the law of evidence is. I must make a study of the law to see if it has been followed in this case. If I

were to give a decision at the present moment it would not be of any value.

Hon. Mr. DAVIS—The Order of the Day can stand until to-morrow.

The SPEAKER—Yes.

Hon. Mr. KIRCHHOFFER—I do not see why the Order should not be disposed of to-day.

The SPEAKER—The point of order is that no evidence was offered in support of the petition, or that the evidence which has been offered is in contravention of rule 47, which says that the law of evidence shall, subject to the provisions in these rules, apply to proceedings before the committee. I am not prepared to rule at present.

Hon. Mr. CHOQUETTE—According to the report, evidence was taken and the committee reported. I read the evidence myself. My hon. friend states that there was no evidence taken, and we have to choose between the word of my hon. friend and the report of the committee. I read the evidence which was sent to me. I do not think we can intelligently discuss the point of order unless there is some admission from the committee that the facts are as stated.

Hon. Mr. ROSS (Middleton)—The fact is that the report is available to members of the House, and if you inquire into the facts you will find that this is a contested case. Counsel appeared for the petitioner, and for the respondent, and counsel informed the committee that the evidence which was given last year was the evidence that they proposed to give this year if the witnesses were called and examined in detail. But counsel representing both the petitioner and respondent agreed that the evidence taken last year should be received by the committee, and it would be a mere idle form to have the witnesses examined again, and have counsel read to them their former evidence. So that it is exactly the same thing in substance, and, in fact, as if they have been sworn and examined.

Hon. Mr. DAVIS—But they were not sworn.

Hon. Mr. ROSS—They were there and agreed to it.

Hon. Mr. POWER—The hon. gentleman from Prince Albert raised a question of order and His Honour the Speaker said he was not prepared to decide the question at present, but with the permission of the House he would inform himself further and would decide, as I presume, at the next meeting of the House. I think that in the meanwhile, after His Honour had stated his intention, which was apparently accepted, some other business was entered into, and another Order of the Day was read. It was only then that the hon. gentleman from Brandon undertook to bring up this question again. I do not think he can do that. I have not had the opportunity of looking over the evidence of this year. I do not mean to say that I propose to vote against the report, but I should like a chance to look over the evidence before the matter is considered, and I hope the hon. gentleman from Brandon will allow the matter to stand.

Hon. Mr. LOUGHEED—The hon. gentleman from Brandon was perfectly in order for this reason: no disposition was made of the Order of the Day. His Honour indicated that he was not prepared to pass on the question of order, but what became of the Order of the Day.

Some Hon. MEMBERS: It stands.

Hon. Mr. LOUGHEED—And what the hon. gentleman from Brandon proposed doing was to move that it should be placed on the Order Paper for to-morrow.

Hon. Mr. POWER—There is no objection to that.

Hon. Mr. KIRCHHOFFER—I move that the Order of the Day be discharged and placed on the Order of the Day for to-morrow.

The motion was agreed to.

THIRD READINGS.

Bill (G), An Act for the relief of Gertrude Carmen Birks.—Hon. Mr. Pope.

Bill (H), An Act for the relief of Rose Ethel Freedman.—Hon. Mr. Derbyshire.

SECOND READINGS.

Bill (J), An Act to amend The Inspection and Sale Act.—Hon. Mr. Lougheed.

Bill (K), An Act respecting certain patents of Thomas Leopold Willson.—Hon. Mr. Belcourt.

RUDOLPH GOLDSCHMIDT PATENT BILL.

SECOND READING.

Hon. Mr. TALBOT moved the second reading of Bill (L), An Act respecting a certain patent of Rudolph Goldschmidt.

Hon. Sir MACKENZIE BOWELL—It seems to me that these Bills for the renewal of patents ought to be explained to the Senate before they are read the second time, because they involve a principle in which some of us do not concur. The Senate should know really what they are granting when they consent to the second reading of Bills such as this, seeing these Bills go before the committee, and we do not hear the evidence, and hence know nothing about them further than the report which is made by the committee concurring in the application of the patentee. We are legislating in the dark and have been continually doing so on this question of patents.

Hon. Mr. KERR—I think hon. gentlemen can quite safely deal with this Bill. It is not a question of the revival of a patent; it is a question of being permitted now to transfer it to another section, which is a section under which the public may use it, and become licensees of it; so I think the principle of the Bill may be fairly well understood in that way, and that the matter could go to the committee to be considered and to see whether the circumstances would warrant that being done.

The motion was agreed to.

The Senate adjourned until to-morrow afternoon at three o'clock.

THE SENATE.

THURSDAY, March 12, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (O), An Act respecting the Pacific Trans-Canada and Hudson Bay Railway.—Hon. Mr. Davis.

Bill (P), An Act for the relief of Ella Rose Morris.—Hon. Mr. Derbyshire.

Bill (Q), An Act for the relief of Alicia Hill.—Hon. Mr. Derbyshire.

THIRD READINGS.

Bill No. 24, An Act respecting The Canadian Railway Accident Insurance Company, and to change its name to The Globe Indemnity Company.—Hon. Mr. Dandurand.

Bill No. 44, An Act respecting The Vancouver Life Insurance Company of Vancouver, B.C., and to change its name to The Vancouver Life Insurance Company.—Hon. Mr. Bostock.

HAMILTON DIVORCE BILL.

CONSIDERATION OF REPORT POSTPONED.

The Order of the Day being called:

Consideration of the fourth report of the Standing Committee on Divorce to whom was referred the petition of Andrew Lorne Hamilton, together with the evidence taken before the said committee.

Hon. Mr. KIRCHHOFFER moved that the report be concurred in.

Hon. Mr. DAVIS—I should like to have a ruling on the point of order which I raised yesterday.

The SPEAKER—I confess to this House that I have not had much time to study the question. I shall be prepared to give a ruling to-morrow.

Hon. Mr. BOYER—I move in amendment that this motion be placed on the Orders of the Day for Wednesday next. It is an important question, and His Honour will require considerable time to study it.

Hon. Mr. KIRCHHOFFER—I agree to a postponement of the Order of the Day until Wednesday next.

The order was accordingly postponed.

CRIMINAL CODE AMENDMENT BILL.

SECOND READING.

The Order of the Day being called.

Resuming the adjourned debate on the motion for the second reading (Bill D) An Act to amend the Criminal Code.

Hon. Mr. DENNIS—As I understand it, this is a Bill to create a new crime in this country—to make a crime in Canada of what has heretofore been a perfectly proper, legitimate, harmless and daily matter of business. This Bill proposes to cover with odium the 1,200 newspaper publishers of Canada—and ten times the number of

newsdealers and booksellers—for the manner in which they have conducted their business in the past; it proposes to make criminals of them, every man subject to two years in the penitentiary, if they presume hereafter to conduct their business according to their own ideas and along the same lines they have carried it on for a quarter of a century or more. It proposes to make it a crime to do in Canada what will be perfectly proper and legal in the motherland, in the United States, and in all the rest of the world.

With the modesty becoming a comparatively young member, I submit that the Senate is not yet so entrenched in the confidence and affection of the people, that it can afford to heap insult and opprobrium on the 1,200 newspaper publishers and many thousands of booksellers and newsdealers of Canada, and by a stroke of the pen transform what is now a legitimate line of business into a crime. God knows there are enough matters of vital interest to the physical, moral and material wellbeing of the people of this country, which should engage the most serious attention and action of this Parliament; some of such questions are, the cost of living; the adulteration of foods; the robberies perpetrated by the combines and trusts; and the housing problem for the masses, and especially the horrible conditions of life in the slums—the slums that exist right under the noses of hon. members here in Ottawa, in Montreal and Quebec, as well as in every city of Canada.

Hon. Mr. CHOQUETTE—Not in Quebec.

Hon. Mr. DENNIS—The question of provision for dependent old age, is another of these questions. The horrors of the white slave traffic, not only as regards the bondage of enforced prostitution, but also the enslavery of children in industrial establishments, and the miseries of the sweatshops is another. Others of these questions are the raising of the age of consent from children of fourteen to mature girlhood of twenty; the burning question of political corruption, the demoralization and degradation of the electorate, and the millions of dollars that have been filched from the pockets of the public by a horde of grafters; the liquor and gambling problems; a living wage, the labour problem in all its various phases, and especially the employment of women and children; the more humane and enlightened treatment of criminals, insane and other defectives; the public health and sanitation in its multifarious phases and especially the drastic steps necessary for the extermination of the great white plagues of tuberculosis and typhoid, and other alarmingly prevalent diseases which are preventable. There are these questions, not to mention 101 other questions relating to our moral wellbeing and material progress, which I might enumerate. I say, there are more than enough of such vital subjects as some of those I have mentioned, to engage our serious consideration without the possibility of subjecting this Senate, from one end of the country to the other, to the jibe that we are frittering away our time on the consideration of what the Philistines may very properly describe as 'freak legislation.'

The Bill, the principle of which you are asked to affirm to-day, is an extraordinary and far-reaching one, and its passage through the House has been sought in an unusual and extraordinary manner. When asked by my hon. colleague from Halifax to explain his Bill, its father, the hon. member from Grandville made an astounding statement. He said:

> **This measure does not require a long explanation; and I do not wish to make any, because so far, I have not seen any paper in opposition to this Bill; and I may say that I have been commended for it and asked to bring it into law as soon as possible.**

Let me suggest that the reason the hon. member has 'not yet seen any paper in opposition to his Bill,' is that the newspapers as well as the public may have regarded it as a freak or a joke and treated it accordingly—never dreaming that this hon. House would carry the joke to any practical conclusion. But who, I should like to know, has asked for this measure; what public body? Has any one heard of any public agitation, or even seen a petition for it? A great social and moral reform congress recently gathered in this city comprising men and women foremost in every line of social and moral reform from all over the Dominion. They dealt with a score of vital problems, but there was no suggestion or even hint in favour of this Bill. There was not even a whisper in its behalf. That congress evidently never heard of it. I say there is absolutely no demand for such a law as is contemplated by this Bill, and what may be very generally regarded as a 'fad' ought not to be foisted on the public at the whim of any one man or any half dozen men.

The righteous soul of the member from Grandville seems to have been unduly vexed at the sight of pictures published in

the Montreal papers of Harry Thaw and his silly wife, Evelyn, those two products of modern American life which, however undesirable and degenerate, have interested the English speaking world for some years. The hon. gentleman's sensibilities were still further shocked at the sight of pictures of Becker, the powerful New York police official, and the four gunmen alleged to be his tools in the murder of a man whose death was necessary to hush up one of the most startling threatened exposures of graft, corruption and scoundrelism that even New York could furnish, and who were properly sentenced to death for their cold blooded crime. These, as I understood his remarks, were his two principal, if not only, reasons for asking this Parliament to create a new crime in Canada. I am not going to emphasize the exceedingly important part played by the newspapers of the world, and the inestimable value of their co-operation with the officers of justice in the arrest of criminals through the medium of the publication of their pictures. That has already been touched upon by the hon. member for Middleton. But incidentally I call attention to the fact that one of the two reasons advanced by the hon. member for the passage of his Bill, viz., the publication of the pictures of Becker's four gunmen, is one of the very reasons why it should not pass. Does that hon. member not know that these men escaped arrest for weeks—three or four—and it was only after the very general publication of their pictures in the press that they were recognized, trailed to their lair, captured, and convicted.

Let me modestly suggest that no law has yet been placed on the statute book compelling the hon. gentleman to look at the 'dirty faces of criminals and scoundrels from all over the country,' portraits of whom, he alleges, are published in the Montreal Star, La Patrie, and the Montreal Herald; and, in addition to saving himself from a lot of worry and vexation, the quickest and surest way for that hon. gentleman, and for everyone else who shares his sensibilities, is to cease looking at the pictures in those papers and thus prevent the 'tendency to immorality' that a glimpse of the contents of those offending papers might impart to weaklings.

Hon. Mr. CHOQUETTE—That is a joke.

Hon. Mr. DENNIS—In his advocacy of the Bill the hon. member from Victoria bewailed the fact that 'a terrible state of things' had developed during the past twenty or twenty-five years. Well, hon. gentlemen, I am bound to admit that 'several things' have happened since 'the good old days' when the hon. member from Grandville and Victoria were especially commissioned by Providence to guide aright the moral tendencies and destinies of the world through the columns of the newspapers on which they were employed. Indeed, the changes since then have been so rapid and so far reaching, that I am afraid that should they ever return to that vocation they would find themselves so completely out of touch with modern conditions, the demands of the people, and the requirements of the business, that they would not only not be able to carry on their self-imposed tasks, but would not even recognize the 'number of the volume'; and certainly the people of to-day would not appreciate, even if they recognized the 'back numbers.' But seriously, I strenuously object to their 'holier than thou' attitude, and resent their implication that since those two gentlemen ceased slinging ink as newspaper employees the morals of the people of Canada have gone to the devil. Such a suggestion by them is as insulting to the common sense of the people as it is ludicrously egotistical.

My hon. colleague from Halifax (Hon. Mr. Power) says he thinks that 'the publication of the portraits of criminals in newspapers is calculated to corrupt the morals of the young'; and the hon. member from Kamloops sees some connection between newspaper and magazine pictures and the popular ovation given by his Kamloops constituents to the notorious Bill Miner; though I fancy that Bill would have been given an equally enthusiatic ovation by the hon. member's Kamloops constituents even if his picture and exploits had not been featured in the enterprising British Columbia papers.

But while these hon. gentlemen are so solicitous about the effect of printing the pictures of people accused of petty or major offences, they appear to be entirely callous to the 'immoral tendencies' of the publication of the outrageous caricatures lampooning hon. members of this Senate, the general ridicule heaped upon, and the popular contempt of the people for this honourable House engendered thereby. If it is 'the morals of the people' they are so anxious about, I suggest as a subject for heroic legislation the suppression of these insulting caricatures. So, too, they appear unconcerned about the

degrading and disgusting pictures of prize fights and the human brutes who engage in them, which decorate the pages of the daily press. What about "the morals of the young" in that case? Then there are the immodest and openly immoral and degrading plays which disgrace our theatres. And what shall I say of their apparent heartless indifference to the pictures not only 'tending to immorality,' but illustrations bordering on actual indecency—of the 'Tango,' the 'Bunny Hug,' the 'Turkey Trot,' and other suggestive if not positively lascivious dances and exhibitions, prohibited by some courageous prelates, I am glad to say, but which the hon. members in their zeal for public morality do not appear to have the courage to mention, much less condemn.

Hon. Mr. CLORAN—We are prepared to accept the suggestion, though.

Hon. Mr. DENNIS—And talking about 'the tendency to corrupt morals,' I should like to ask the hon. members from Grandville and Victoria what comparison they think there is in 'the tendency to corrupt morals' between the publication of the picture of a person accused of some petty offence and the 'mad dance,' that 'outtangoed the tango,' given under the noses of hon. members this week in this capital city of Canada—described in the preliminary advertisements as

> The X-ray dance spectacularly produced for the purpose of revealing more than mere grace and agility, the most daring of an era in which the dance has crept and leapt further and further from the old methods, and in which the effect is as near the actual scientific X-ray as a theatrical producer could or would dare show for the purposes of entertainment.

I quote the description from the Ottawa Free Press, and only need add that this dance was given in Ottawa by a company headed by a woman whose admission to the United States was 'held up' for some time on the ground that she was an 'undesirable.'

Nor do the 'tendency to immorality' of the 'slit skirt,' the abolition of underwear, and other sensuous styles of the female fashions of the day, shock the sensibilities of those hon. senators. They only worry about the unesthetic pictures of Evelyn Thaw and Becker's gunmen published in the Montreal Star and La Patrie. Verily, some people who 'strain at gnats' can 'swallow camels' without blinking an eyelid.

I am not going to deal with the impracticability of this Bill—should it ever be enacted into law—and the impossibility of its general enforcement. That phase has already been dealt with in a convincing manner by the hon. leader of the Government. But I want to point out a few more of its preposterous and ludicrous absurdities. Under this law proposed by the hon. member from Grandville—unless a special order was previously obtained from a superior court judge or the attorney general of each of the nine provinces—the picture of Louis XV would have to be torn out of every volume of the tragic life and death of that grand and gay monarch before it could be again sold throughout Canada.

Joan d'Arc was recently canonized as one of the choicest and most heroic spirits of French history; but if I should publish the thrilling story of her unique history and death, accompanied by her picture—or alleged picture—the penalty would be two years in jail. The same condign punishment would follow if I should 'make, manufacture, sell or expose for sale, or to public view, distribute, circulate, cause to be distributed or circulated, or have in my possession for sale, distribution or circulation, any book, pamphlet, newspaper, or other printed, typewritten or otherwise written matter containing any picture or photograph of, say,—Papineau, the popular idol of the people of Quebec of a previous generation; or, of a later period, Louis Riel, the hero of a section of the people of that province—including the hon. member from Grandville himself, who, I understand, regards that misguided man not only as a hero but also as a martyr—or of one, Thomas McGreevy; or those certain members of the legislatures of Quebec and Ontario who still occupy such a large place in the limelight of very recent and current events. Any enthusiastic Ontario Liberal newspaperman or book-publisher who should tell the story of the life of the grandfather of Ontario liberalism—a man upon whose head a price was once set—with accompanying illustrations, would be liable to be thrust into jail as a felon.

If, for the instruction and edification of his fellow enthusiastic Irishmen, the hon. member for Victoria, in some uncontrolled outburst of his exuberant eloquence, were to paint a graphic word picture of the life, the sacrifice and the martyrdom of Robert Emmett, and some ill-advised Canadian newspaper were to publish it with accompanying illustrations; or if the illuminating

story of Charles Gavan Duffy, the condemned felon who afterwards became such a commanding figure as an empire builder; or of the great Parnell himself, the man who swept aside the cobwebs of antique parliamentary procedure at Westminster, and to whom of all others Ireland will owe whatever of Home Rule she finally attains —I say that under the Bill before this House the newspaper man who has the audacious hardihood to hereafter publish pictures of these immortal figures of Irish history, can only do so with two years of penitentiary life staring him in the face for promoting 'a tendency to immorality.'

Apostolic times will recur to hon. gentlemen without my particularizing; but let me mention a couple of comparatively recent illustrations. Three years ago a delegation of members from this hon. House, consisting of the present hon. leader of the Government in this Chamber, the hon. member for De Lorimier, the hon. and venerated member for Belleville, the hon. member for De Lanaudière, the hon. member for Portage la Prairie, and my hon. senior colleague from Halifax, were appointed to especially represent this hon. House at the coronation of the reigning sovereigns in Westminster Abbey. The portraits of these handsome and distinguished gentlemen, together with that of the Ambassador Extraordinary and Minister Plenipotentiary of the United States, Lord Strathcona, and other very eminent personages, were published in the leading daily papers of the empire, and in such world-renowned pictorials as the Illustrated London News, the Graphic, the Sphere, the Mirror, Canada News, the Daily Mail, and a host of other papers and magazines too numerous to mention. But, under the eagle-eyed search for "a tendency to immorality" provided for in this Bill, every man who sold, exposed for sale, or even loaned to his next door neighbour (that would be "circulation" within the meaning of the Bill) any one of the papers containing the handsome pictures of the hon. members comprising that delegation, and of the Ambassador Extraordinary and Minister Plenipotentiary of the United States, would be liable to spend two years of his life in jail.

Hon. Mr. CHOQUETTE—He is joking.

Hon. Mr. DENNIS—Since this House prorogued—less than a year ago—John V. Ellis, one of the most highly respected and venerated members of the Senate, has joined the 'great majority.' Under this Bill no one could publish a picture of that old man's saintly face without the risk of becoming a felon. Can you imagine anything more repugnant to our common sense?

Bramwell Booth, the present head of the Salvation Army, son of that modern prophet of God, General William Booth, will shortly pay his first visit to Canada, and be acclaimed from the Atlantic to the Pacific as one of the most useful and successful captains of humanity. Yet under this proposed law, if a Canadian publisher dares to print his picture he will be guilty of 'tending to corrupt public morals' and be liable to twice as long in jail as General Booth himself served for his part in the publication of that 'Maiden Tribute to Modern Babylon,' a badge of honour which he was privileged to share with the greatest journalist of his age, W. T. Stead, a leader of men whose tragic death as one of the Titanic victims glorified the human race. Yet should this Bill of the hon. gentleman from Grandville become the law of the land the printing or sale of Booth's or Stead's picture in book, pamphlet, magazine or newspaper would be punishable by two years in jail!

Hon. Mr. CLORAN—What about the suffragettes?

Hon. Mr. DENNIS—You should know all about them; you are better acquainted with them than I am. Great things are happening all around us. A few days ago an event happened in northern Mexico that startled the English speaking diplomatic world. I refer to the murder of a British subject named Benton by the Mexican bandit Villa. All the world was interested in knowing what those men looked like—the bandit who defied the United States and the British Empire and his helpless victim. But without risking two years in prison neither of these two men could be pictured in a Canadian newspaper, and no American or British papers containing their pictures could come into Canada—because the one man was said to have been executed by court martial; while the other man is popularly 'accused' of being the actual murderer.

All the world is vitally interested in the unrest among the masses of the people. Such leaders as John Burns, Tom Mann, Keir Hardie, and Ben Tillett are of world-wide fame. A few months ago a new star came into the seething mass of labour unrest named Jim Larkin. Only a few days

ago the action of the Government of South Africa in deporting half a dozen labour leaders without trial—they were only 'accused' of an offence—gave the foundations of the empire a jolt, the effects of which no man can at present foresee. But under this Bill of the hon. member from Grandville, supported by the hon. members from Victoria, Halifax and Kamloops, no man in this country from Halifax to Vancouver, under penalty of being a jail-bird for two years, can make the faces of these men familiar to the people of Canada in either book, pamphlet, newspaper, or in any other way—except by formal permission of a judge or an attorney general.

Of course, it will be said in reply that this Bill does not contemplate any such extreme cases as I have illustrated. But I answer that the statute law of the country can make no distinction or discrimination. It must be enforced just as it stands, and the Bill provides that:

Any person who makes, sells, exposes for sale, circulates, or has in his possession for circulation or distribution, any book, pamphlet or newspaper containing any picture of a person accused of or condemned for any indictable offense, or offense punishable upon summary conviction.

shall be liable to two years in jail. The accused may be entirely innocent and may be subsequently acquitted; or his trivial offense may be summarily punished by two days in jail, but the unfortunate devil who prints his picture, or the newsdealer or newsboy who sells it, shall be liable to two years in the penitentiary under the Bill now before the Senate.

But not only is the hon. member who introduced this Bill going to make a felon of every man who prints, and of every newsdealer and of every newsboy or girl who sells or exposes for sale, a book, pamphlet, or newspaper containing the pictures of any guilty wretch or innocent man accused, perhaps maliciously accused of crime, but he tells this House that he also proposes to insert further amendments in the Bill to absolutely prohibit all extended newspaper reports of the trial of offences, indictable or punishable by summary conviction. Well, I do not envy the hon. gentleman his job. He has undertaken a task which men would shrink from, who have much more nerve than he is supposed to possess. If that feature of his proposition means anything it means the establishment of a censorship of the press; that the press is to be gagged and throttled; and that the proceedings of the courts of justice are not to be faithfully mirrored for the public by trained and expert writers, but that the reports of the proceedings of Canadian courts are to be censored and subject to the dictation of some petty court official—perhaps the most narrow-minded, picayune, and fossilized to be found in the locality; perhaps a partisan of the most offensive, ignorant and arrogant type. This is 'liberalism' with a vengeance; but I have no fear that the people of Canada will for a moment stand for such fossilized Bourbonism as that.

It is purely a matter of opinion as to what creates 'a tendency to corrupt morals.' To the pure all things are pure. To the evil minded all things may appear evil. I say again there is no expressed demand for this legislation; there is no appreciable volume of public opinion in its favour. The hon. mover himself has not given us the name of a single organization, or sect, or society, or body of men or women, or of any man or woman asking for it. If he has such formal request I challenge him to produce it now. I assert that neither the press of Canada nor the people of Canada will stand for his proposal.

As the hon. leader of the House has pointed out, such a law will not and cannot be enforced. But supposing for the sake of argument that it could be enforced in Canada—as far as Canadian productions are concerned that you could succeed in making this feature of the Canadian newspaper, magazine and book-selling business a crime and jailed every publisher, bookseller and newsboy guilty of infringing its provisions — what is the hon. member going to do with the many tens of thousands of copies of books, magazines, newspapers and pamphlets containing these illustrations now being imported by Canadian booksellers and newsdealers in bulk from the United States, from Great Britain and from the continent? How is he going to enforce his law against this great volume of business? And supposing he jailed for two years every seller of books and magazines, newsdealer and newsboy in the Dominion who handle these hundreds of thousands of outside publications, does he imagine he can thereby prevent the people from getting them? Suppose instead of buying them from the book stores and news agents as now, that the people become direct individual subscribers, this Bill will tend to increase that foreign business ten-fold. Are you going to employ an army of men to open

and examine every copy of the millions of books and newspapers that would then come through the mails, but which now come in bulk, and jail every subscriber or member of the family who casually shows his book or paper to a neighbour—thereby constituting the crime of circulation? The idea is too preposterous to think about, much less seriously discuss.

While, of course, it is our prerogative to make whatever laws we like for ourselves, no matter how fantastical and fanatical, let me impress upon hon. members the idea that a law that has not been even dreamed of for our 90,000,000 neighbours to the south, the 40,000,000 of our kith and kin of the motherland, and the other civilized peoples of the world, is not a burning necessity for our scattered population of 8,000,000. A feature of business that is not a crime in any other part of the world ought not to be made a crime in Canada.

The first Napoleon, in all his imperious arrogance, had neither the audacity nor the ability to successfully gag the press even of his day. I shall be much interested in seeing the men who will stand up in this Senate and be counted for the proposed establishment in this democratic young nation of the censorship and gag methods of the Dark Ages in Europe.

I ask hon. members not to approve of the principle of this Bill and send it to committee for further consideration, because it is an insult to the men of the newspaper profession of all Canada, as well as to thousands of other men engaged as book publishers, booksellers and newsdealers. It puts a stigma upon them—the stigma of having been engaged for 25 years—the period stated by the hon. member for Victoria—in 'corrupting the morals of the people,' and especially of the young people of Canada; and hereafter making it a crime, subject to two years in the penitentiary, for continuing a feature of their business which they have hitherto conducted without question. I oppose this Bill because it seeks to make a crime in Canada of what never was a crime, is not a crime, and is never likely to be a crime here, or in any other part of the globe. I further oppose it because it establishes a censorship of the press which means to submit the judgment, the enterprise, the good faith, and the honour of—to say the least—one of the most intelligent and influential professions in this country—the daily moulders of public sentiment—to the dictation of some petty official—perhaps as fossilized and malicious as he may be narrow minded and out of touch with modern life.

The logical conclusion of the enactment of this preposterous Bill into law would be the practical abolition of public trial and the substitution of trial by star chamber because it follows that if it 'tends to immorality' to merely see the inanimate picture in a newspaper or book of a man or woman merely accused of crime and to publish verbatim or extended reports of the trial in cold type, how much more immoral is it to look on the human form divine itself, and to listen to the blood-curdling story of the eye witnesses as told in the courts of justice!

Instead of that 'continental reciprocity' that some people were all so anxious for a few years ago, and 'increased British trade under an enlarged preferential tariff,' that the same people think they want now, this Bill enacted into law would practically prohibit the current newspapers, illustrated journals, and popular magazines of the day from coming into Canada, as well as classic literature and works of art, not only of the United States but also of the motherland and the rest of the world. It would thus involve a censorship of all foreign mails as well as of the press and the courts of Canada; and one would be just as grotesque and just as ridiculous as the other. Such a law would wrench Canada from the category of civilized nations and throw her back beyond the days of the bigoted and fanatical Puritans to the atmosphere of the still more bigoted and fanatical dark ages of the Inquisition. Let me conclude by suggesting that, if this hon. House undertakes to enact into law the likes and dislikes, the fancies and fads, the crochets and whims, imaginary and real, of its individual members, it will have its hands more than full. I am opposed to the principle of this Bill being affirmed or any further consideration being given it, because I am opposed to this Senate becoming the laughing stock of this country and the subject of derision in other civilized countries.

Hon. Mr. CHOQUETTE—If it be that nobody is going to say anything more on the subject, I would like to move the adjournment of the debate, for the reason that I did not expect to have a lecture like the one we have just heard to-day, however, well prepared, and well read. Before answering it I would like to look over it, and take away the joking part of it, and see if there is anything serious in the matter. I should like to look it over in

'Hansard,' and for this reason I move the adjournment of the debate until Wednesday next.

The SPEAKER—I do not think it is in order for the hon. gentleman to move the adjournment of the debate.

Hon. Mr. CLORAN—I would like to say also that I wish to peruse that well-written document. I do not know where the hon. gentleman got it, whether it was during the midnight hours that he penned it, or in the cooler moments of the day at his desk in the House here, but it certainly deserves a little attention. I am with the senator from Grandville when he considers that quite a portion of that effusion can be, and probably after perusal must be, considered a joke.

Hon. Mr. DENNIS—Not half as good a joke as the Bill itself.

Hon. Mr. CLORAN—Under these circumstances, as the senator from Grandville is precluded from moving the adjournment of the debate, I would do so, seconded by Hon. Mr. Boyer.

Hon. Mr. CHOQUETTE—In order to put myself properly before the House, as my hon. friend has challenged me to present something showing that this Bill has been asked for, fortunately I have a letter received this morning, from Mr. E. W. Trowern, secretary of the Dominion Board of the Retail Merchants Association of Canada, dated Toronto, March 10, 1914. Fortunately Providence has helped me in this matter, as the letter was received this morning. The first part of it is this:

I have just received a copy of the Bill introduced by you entitled Bill (D) 'An Act to amend the Criminal Code,' and I desire to on behalf of the 'Booksellers and Stationers' section of the 'Retail Merchants Association of Canada,' that this Bill meets with the hearty approval of all the honest and respectable booksellers and stationers throughout Canada.'

They may be jokes, too, like those of my hon. friend, but I would like to put this portion of the letter in.

Hon. Mr. DENNIS—He is evidently one of the three Tooley street tailors.

Hon. Mr. CLORAN—He is one of the three, anyhow.

Hon. Mr. GORDON—I would like to say that it is too bad that this Bill should be brought up again in the Senate, because I believe the majority of the members of the House know very well that it is nothing but a freak Bill; and, although perhaps unintentionally, it is simply calculated to defeat justice. The hon. gentleman from Grandville proceeds under the assumption that publicity is rather the friend than the enemy of crime and criminals. I really think it is too bad for a freak Bill of this description to meet with the consideration which it has already had from the House.

The motion was agreed to.

BILLS INTRODUCED.

Bill No. 90, An Act to amend an Act relating to the establishment and expenses of the International Joint Commission under the Waterways Treaty of January 11, 1909.—Hon. Mr. Lougheed.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

FRIDAY, March 13, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (R), An Act respecting a patent of John Roger Arnoldi.—Hon. Mr. Kerr.

Bill (S), An Act for the relief of Eliza Jane McLaughlin.—Hon. Mr. Talbot.

NATIONAL TRANSCONTINENTAL RAILWAY INVESTIGATING COMMISSION'S REPORT.

INQUIRY POSTPONED.

The notice of inquiry being called:

By the Honourable Mr. Casgrain:—

That he will inquire:—

1. How many copies of the Lynch-Staunton-Gutelius report have been printed?
2. Is the Government aware that no more copies can be had?
3. Will the Government kindly have more copies printed?

Hon. Mr. LOUGHEED—Will the hon. gentleman let that stand?

Hon. Mr. CASGRAIN—Yes. I have just been inquiring again about obtaining copies of the Lynch-Staunton-Gutelius report. I sent the page up a few minutes ago for a copy and I find there are no copies to be had. It would be very good of the Government if they would kindly

have a few more copies prepared, because we consider it interesting literature.

Hon. Mr. LOUGHEED—So do we. We are attaching a good deal of importance to it.

THIRD READINGS.

Bill (13) An Act to incorporate the Central Western Canada Railway Company.—(Hon. Mr. Taylor.)

Bill (20) An Act respecting the Canadian Pacific Railway Company.—(Hon. Mr. Kirchhoffer.)

Bill (12) An Act respecting the Calgary and Edmonton Railway Company.—(Hon. Mr. Young.)

Bill (26) An Act to incorporate the Pacific Peace River and Athabaska Railway Company. (Hon. Mr. Young.)

Bill (34) An Act respecting the Dominion Atlantic Railway Company.—(Hon. Mr. Roche.)

Bill (36) An Act respecting the Joliette and Lake Manuan Colonization Company.—(Hon. Mr. Belcourt.)

Bill (37) An Act respecting the Ottawa and Ungava Railway Company.—(Hon. Mr. Tessier.)

Bill (39) An Act respecting the Thessalon and Northern Railway Company.—(Hon. Mr. Ross, Moosejaw.)

Bill (42) An Act respecting the Esquimault and Nanaimo Railway Company.—(Hon. Mr. Bostock.)

Bill (49) An Act respecting the Saskatchewan Central Railway Company.—(Hon. Mr. Davis.)

Bill (52) An Act respecting the Central Railway Company of Canada.—(Hon. Mr. Pope.)

Bill (55) An Act respecting the Quinze and Blanche River Railway Company.—(Hon. Mr. Belcourt.)

Bill (47) An Act respecting the Lake Erie and Northern Railway Company.—(Hon. Mr. Ratz.)

Bill (1) An Act respecting the Montreal and Lake Victoria Railway Company.—(Hon. Mr. Thompson.)

SECOND READINGS.

Bill (M) An Act respecting the Grand Trunk Railway Company of Canada and the Canada Atlantic Railway Company.—(Hon. Mr. Thompson.)

Bill (N) An Act respecting the Rainy River Radial Railway Company.—(Hon. Mr. Watson.)

Bill (33) An Act respecting the Acadia Loan Corporation, and to change its name to the Mortgage Corporation of Nova Scotia.—(Hon. Mr. Power.)

Bill (35) An Act to incorporate the Bank of Alberta.—(Hon. Mr. Talbot.)

Bill (38) An Act respecting the Sterling Trusts Corporation.—(Hon. Mr. Kerr.)

Bill (64) An Act respecting the London and Port Stanley Railway Company.—(Hon. Mr. Donnelly.)

Bill (65) An Act respecting the McClary Manufacturing Company.—(Hon. Mr. Donnelly.)

INSPECTION AND SALE ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into Committee of the Whole House on Bill (J), An Act to amend The Inspection and Sale Act.

(In the Committee.)

Hon. Mr. LOUGHEED—This Bill may be said to be divided into two divisions; one deals with flour, meal and feed, and the other with vegetables. It is a Bill which necessarily involves a good deal of thought on the part of the department which is called upon to administer this branch of the public service. It is very largely technical and I shall be very glad to explain each section as we proceed with it, unless any general explanation is desired in the meantime.

Hon. Mr. POWER—I trust the hon. gentleman will tell us just what the change is in each clause—give us the section as it stands now, and the change. It is to be presumed that we shall not need to make many changes in it. But still, Bills sometimes require changes.

Hon. Mr. LOUGHEED—I shall explain each clause and hon. gentleman will understand the application of the amendment to the original.

On clause 1:

Section 2 of the Inspection and Sale Act, chapter 85 of the Revised statutes, 1906, is amended by striking out the fifth line thereof and substituting therefor the words 'Part III applies exclusively to flour, meal and feed.'

Hon. Mr. LOUGHEED—This Bill proposes to add 'feed' to part 3, as that commodity is new covered by the Bill. Hon. gentlemen will observe that in the present Act, part 3 applies exclusively to flour and meal. We now say, 'flour, meal and feed.'

Hon. Mr. ROCHE—Would the hon. minister inform us at what point the inspection is made, of flour and meal.

Hon. Mr. LOUGHEED—I cannot tell my hon. friend. I shall make inquiries, if it is material to the consideration of the Bill.

The clause was adopted.

On clause 2:

The said Act is amended by inserting the following section immediately after section 149:

149A In this part, 'feed' means and includes the feeds or mixed meals or other feeding products made from the entire grains of wheat, rye, barley, oats, Indian corn, buckwheat or flaxseed or other feeding stuffs, and the bran and middlings from wheat, rye, oats, peas, Indian corn, buckwheat, flax or sugar beet.

Hon. Mr. LOUGHEED—This clause is introduced to define the word feed, for which no definition now exists, and it is approved by several manufacturers of feed and by the Dominion Millers' Association.

I might say that that association took a very active interest in the revision of this Bill.

Hon. Mr. DAVIS—Will the hon. gentleman give us an idea of what the object of this measure is? There must be some object.

Hon. Mr. DERBYSHIRE—I could explain it. At the time the original Act was passed flour was the main product, but to-day feed is as important a product in connection with the milling industry, and they are making more money out of the feed they are selling to the farmers in the shape of offal in connection with the dairy business, than they make out of anything else. This is to have an inspection of feed, as well as of flour. That addition is proper and right and ought to go through.

Hon. Mr. LOUGHEED—It will be observed that the comprehensive meaning attached to the word 'feed,'—and the Inspection Act applies to that—insures the public of getting feed within the meaning of the Act.

Hon. Mr. DERBYSHIRE—And not the floor sweepings.

Hon. Mr. LOUGHEED—Yes. It includes:

The feeds or mixed meals or other feeding products made from the entire grains of wheat, rye, barley, oats, Indian corn, buckwheat, or flaxseed or other feeding stuffs, and the bran and middlings from wheat, rye, oats, peas, Indian corn, buckwheat, flax or sugar beet.

Hon. Mr. DERBYSHIRE—That is it.

Hon. Mr. WATSON—Is it the intention of the department to label those different kinds of feed, according to what they are composed of.

Hon. Mr. LOUGHEED—No; they are subject to inspection, though.

Hon. Mr. WATSON—If they are not labelled, what would be the object of the inspection?

Hon. Mr. DAVIS—Will they fix a standard for 'feed.'

Hon. Mr. LOUGHEED—When feed is sold it must be stated, or must be brought within this particular section which I have read; that is, its contents must be the contents embraced within the section.

Hon. Mr. WATSON—Will the contents be marked on the sack or barrel? It seems to be there is not much use of inspection unless a purchaser knows what he is buying.

Hon. Mr. LOUGHEED.

Hon. Mr. LOUGHEED—That would involve their being put in particular packages.

Hon. Mr. WATSON—'Feed' would include almost anything that an animal would eat.

Hon. Mr. DAVIS—After an inspection is made as I understand it, whatever the inspector finds in what he inspects in the way of feed, as outlined in this portion of the Bill, he just passes it; if it does not contain that, he does not pass it.

Hon. Mr. LOUGHEED—It is to prevent adulteration of feed.

Hon. Mr. DAVIS—I understand that.

Hon. Mr. LOUGHEED—You can always put in motion the machinery for inspection. I am not saying that that machinery is in motion all the time, and that any body buying feed is absolutely assured of getting this particular kind of feed; but we are making provision, as far as we can, that they shall get it.

Hon. Mr. DAVIS—As I understand it now, the object of this is that the public will be assured that they are going to get a certain class of feed; that there is no adulteration; that there is no stuff in it that should not be in it.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. DAVIS—And the fact that that has passed inspection is evidence that there is not that adulteration in the feed.

Hon. Mr. LOUGHEED—Yes, and a purchaser can ask that it be inspected.

Hon. Mr. POWER—For answer to the question asked by the hon. gentleman from Portage la Prairie, I would refer him to section 6 of the Bill:

6. The said Act is amended by inserting the following section immediately after section 164:—

164A. Every bag, sack or similar package of flour, meal, rolled oats, rolled wheat, or feed shall be plainly marked,—

(a) with the initials of the Christian names and the surname at full length of the packer or person for whom such bag or package is packed, and with the place of business of such packer or person; and

(b) with the gross weight of the bag, sack or package.

Hon. Mr. BOSTOCK—I would like to ask the leader of the Government whether the Bill would be taken to include linseed cake, which is a preparation of flaxseed. Of course linseed cake has in the past been

open to a great deal of adulteration, and I know that in England they have special arrangements which guarantees the farmer that he is buying pure linseed cake, when he buys it stamped. Would that be covered by this interpretation or would anything be done in that matter? It does not mention it, but it says 'flaxseed.'

Hon. Mr. LOUGHEED—If it does not mention it there; no. I should think that anybody buying flaxseed would have a right to demand from the seller, a feed of the character that is here mentioned. Of course if he chooses to take something else, I suppose the law cannot stand in the way of his doing it.

Hon. Mr. BOSTOCK—The point is that it is very difficult to tell, when buying linseed cake in the ordinary way in the market, whether it is adulterated or not. Now if there is to be any inspection, a sample of the product could be sent to the chemist, to be analysed, and find out what it is. Without that the ordinary man buying it, is not really able to tell unless he buys it on the name of the seller, and knows he is buying it from a responsible man. If there is to be any inspection, would it not be well to stamp it.

Hon. Mr. LOUGHEED—The question arises as to whether linseed cake is a feed.

Hon. Mr. BOSTOCK—That is what I want to know. It is certainly a feed as far as cattle are concerned.

Hon. Mr. YOUNG—Read clause 2:

149A In this part, 'feed' means and includes the feeds or mixed means or other feeding products made from the entire grains of wheat, rye, barley, oats, Indian corn, buckwheat, or flaxseed or other feeding stuffs, and the bran and middlings from wheat, rye, oats, peas, Indian corn, buckwheat, flax or sugar beet.

Therefore it matters not in what form your flaxseed is, whether oil cake, or meal. This is an interpretation clause, and they are bringing 'feed' into the interpretation Act for the first time.

Hon. Mr. LOUGHEED—Yes, we are giving an interpretation to 'feed.'

Hon. Mr. YOUNG—There has never been any.

Hon. Mr. LOUGHEED—No, never before.

Hon. Mr. YOUNG—And this is simply defining what the word 'feed' shall mean, wherever used?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. YOUNG—And it means 'feeding products made from the entire grains of wheat, rye, barley, oats, Indian corn,' and so on.

Hon. Mr. DANDURAND—Or 'other feeding stuffs.'

Hon. Mr. YOUNG—Or other feeding stuffs. It is only an interpretation clause.

Hon. Mr. DANDURAND—It is very wide.

Hon. Mr. YOUNG—Yes, and 'feed' covers a wide range, too.

Hon. Mr. WATSON—I think the quality of the feed for the various purposes ought to be graded as 1, 2, 3, or whatever it may be, the same as flour or wheat is graded. It does not seem to me to be any advantage to the public to have an inspection, and to say that the package should have the name of a manufacturer on it. The Act goes on to mention those different articles, and then it goes on to say 'other feeding stuffs.' I presume anything that an animal would eat, would be a 'feeding stuff,' and yet might be of very little use so far as feed is concerned, to the animal, as compared with the different articles that were in the feed. I think it ought to be graded in some way in order to be a benefit to the public at all. This section 6 referred to by the hon. gentleman from Halifax does not refer to it at all; it simply means that the name of the person shall be on the package. As we know, all the refuse about a mill—screenings and everything else—is run into feed, and though it may be of very little use as a feed for fattening purposes, still it is feed. Any person with any knowledge of feeding knows that all screenings about an elevator are chopped up and sold with bran for twenty or twenty-five cents a ton, when otherwise they would be burned in the furnace; but when feed is high this poor stuff is run in as feed. I think it would be well if the hon. leader would give us some information. I make the suggestion.

Hon. Mr. LOUGHEED—Of course this is largely experimental. We are making a start to place a definition on feed. As to whether we can carry it out to the extent that my hon. friend suggests will possibly be largely determined by the operation of the Act as amended. It is a considerable step in the right direction, in any event, to place an interpretation upon it. As to whether it is practicable to define the con-

stituents of those particular elements which enter into feed, I am not prepared to pass an opinion.

Hon. Mr. YOUNG—Do you mean the mark on the package?

Hon. Mr. LOUGHEED—I am quite prepared to let any clause stand and we can go back to it again. The next clause amends section 150 of the Act, to include feed imported into Canada, and is substituted for the existing section 150. It is a re-draft to meet the requirements of the trade.

Hon. Mr. WATSON—I do not think under existing conditions this will have any effect. It looks like anticipating free feed and flour.

Clause 3 was adopted.

On clause 4:

4. Section 163 of the said Act is repealed and the following is substituted therefor:—

163. Every barrel and half-barrel of any article mentioned in this section shall contain, respectively, that net weight of the article which is shown in this subsection opposite the name of such article, that is to say:

Description of Article.	Net weight in Dominion Standard pounds. Barrel.	Half-barrel.
Flour	196	98
Meal	196	98
Rolled Oats	180	90
Rolled wheat	100	50

2. When any such article is contained in a wooden package other than a barrel or a half-barrel, the net weight of the article contained in the package shall be taken to be the weight of the article.

3. When any such article is contained in a bag, sack or similar package, the gross weight of the bag, sack or package and of the article shall be taken to be the weight of the article.

4. A bag, sack or similar package of feed shall contain one hundred Dominion Standard pounds, gross weight, of feed.

Hon. Mr. LOUGHEED—If hon. gentlemen will compare the clause with the existing section in the Act, they will find that this is more comprehensive and includes rolled oats and rolled peas. It embodies the recommendation of the Dominion Millers' Association.

Hon. Mr. YOUNG—It provides that a half-barrel of flour in wood shall weigh 98 pounds.

Hon. Mr. LOUGHEED—Yes, that shall be the weight whenever flour is put up in any form. These standard weights shall apply in all cases.

Hon. Mr. YOUNG—In the West, flour is sold in sacks, and a flour sack has a weight of 98 pounds. Now it will have to weigh 100 pounds gross, which would give over 99 pounds of flour.

Hon. Mr. ROSS (Middleton)—When it is in wooden packages you have to deduct the weight of the package, and this gives 98 pounds of flour, but when it is in sacks the sack counts as part of the weight.

Hon. Mr. YOUNG—The idea is whether a person buys 98 pounds in wood or in sack, he should have 98 pounds of flour.

Hon. Mr. LOUGHEED—The clause before provides for the gross weight, and that of course includes the bag.

The clause was adopted.

On clause 5:

5. Section 164 of the said Act is repealed and the following is substituted therefor:—

164. Every barrel or half-barrel of flour, meal, rolled oats or rolled wheat, packed for sale, shall, by painting or branding on one end thereof, be plainly marked:

(a) with the initials of the Christian name and the surname at full length of the packer or the person for whom such barrel or half-barrel is packed, and with the place of business of such packer or person; and

(b) with the quality and weight of the flour or meal therein contained; and

(c) with the tare of the barrel or half-barrel.

Hon. Mr. YOUNG — Practically, the Christian name and so on is never marked on a barrel of flour. Generally you have the name of the mill. Take for instance, some of our large concerns, the Oglivies or the Lake of the Woods—they paste a piece of paper on the barrel, describing the brand of the flour and giving the name of the company. That is all you will ever find on a barrel of flour. There is never any Christian name or anything of that kind, as far as I have seen.

Hon. Mr. LOUGHEED—I suppose it would be the corporate name of the company. If a packer has a Christian name, then his initials are necessary to distinguish him from any others of the same name.

Hon. Mr. YOUNG—You are not changing the law in that regard, but the provision has never been carried out.

Hon. Mr. LOUGHEED—It gives the department power to enforce it.

Hon. Mr. YOUNG—You do it already in section 164, the section you are amend-

ing, but nobody ever dreams of hoping to find a Christian name on a barrel of flour.

Hon. Mr. DAVIS—They have a trade mark, and that trade mark is always found there.

Hon. Mr. YOUNG—And the name of the firm or individual, as the case may be.

Hon. Mr. WATSON—Has the minister any idea whether those marks he is asking for comply with the custom in the United States? Because, I can quite appreciate that the gentlemen interested in the milling business, for instance, might ask legislation to be placed on our statute books, which would practically prohibit the importation of different articles through their inability to pass inspection regulations such as we are considering to-day. I know that a few years ago there were some articles shipped to Manitoba—I forget the particular articles—but they found according to the Inspection Act that they could not be shipped into the province because they did not comply with certain regulations. I think the articles included a case of fruit. We should be very careful not to place anything on the statute book which would bar the importation of the article referred to in the Act.

Hon. Mr. LOUGHEED—The Act applies to goods imported into Canada.

Hon. Mr. WATSON—I am satisfied of that, but we should be careful in passing an Inspection Act of this description that we do not prohibit the possibility of importing articles into Canada because they do not comply with this Act.

Hon. Mr. LOUGHEED—I do not know that that would be the case.

Hon. Mr. DAVIS—They can comply with the Act if they wish to.

Hon. Mr. WATSON—But a very small percentage would comply. Some very large institution in a foreign country might wish to import into Canada, but they could not do it at all if the packages had to be so marked, and you could not expect a large institution to change their system for the sake of shipping a few goods to Canada.

Hon. Mr. LOUGHEED—The foreign importers of goods invariably acquaint themselves with the laws of the country into which they are exporting their goods. They do not export by accident or caprice. They make preparation for that particular market to which they ship their goods.

The clause was adopted.

On clause 6:

6. The said Act is amended by inserting the following section immediately after section 164:—

164a. Every bag, sack or similar package of flour, meal, rolled oats, rolled wheat, or feed shall be plainly marked,—

(a) with the initials of the Christian names and the surname at full length of the packer or person for whom such bag or package is packed, and with the place of business of such packer or person; and

(b) with the gross weight of the bag, sack or package.

Hon. Mr. LOUGHEED—This clause provides for the marking of sacks. The Dominion Millers' Association recommend that the weight for a bag or similar package shall be the gross weight.

Hon. Mr. DAVIS—The person who purchases it pays so much for the sack.

Hon. Mr. DERBYSHIRE—The sack is worth as much as the bran.

Hon. Mr. LOUGHEED—It amounts to that.

Hon. Mr. WATSON—I do not think that is right. If a person buys half a barrel of flour he should get 98 pounds.

Hon. Mr. LOUGHEED—It only applies to the sack, not to the barrel. The sack would be very much lighter than the barrel. You could get more for the sack than for the same weight of the contents.

Hon. Mr. WATSON—Do I understand that 98 pounds of flour will be in the sack, and that the gross weight will be marked on the sack, or simply 98 pounds sack and all?

Hon. Mr. LOUGHEED—The sack and contents would have to weigh the gross weight.

Hon. Mr. WATSON—Would it be 98 pounds sack and all.

Hon. Mr. DERBYSHIRE—Sack and all.

Hon. Mr. WATSON—I think it should be 98 pounds of flour.

Hon. Mr. BOSTOCK—Would there be any objection to putting on the sack or packages the quality of the feed?

Hon. Mr. LOUGHEED—It is not proposed at the present time, to adopt grades

of feed. The department is anxious to ascertain how the present legislation will work out, and I have no doubt that if it develops, the department will elaborate upon it and establish grades of feed hereafter, if it is at all possible to do so, but it is a step which will involve a good deal of care in putting the proposed amendment into operation.

Hon. Mr. BOSTOCK—That is done in the case of the inspection of fruit. The man who is selling his fruit has to put on the box the quality of the fruit he is selling, and it would not be a very hard thing to make the man selling feed do the same thing, for the protection of the purchaser.

Hon. Mr. LOUGHEED—It may take some time to build up grades of feed. We are now exacting that feed shall be possessed of certain constituents. To say at the present time that those constituents shall reach a certain grade or certain standard, would be very experimental indeed, and the Government or the department feels that it is going sufficiently far in establishing constituents, and allowing the grades to stand for the time being.

Hon. Mr. WATSON—You are not referring to the grades?

Hon. Mr. LOUGHEED—We are not establishing the grades yet.

Hon. Mr. WATSON—You are not establishing the quality of the feed.

Hon. Mr. LOUGHEED—When I spoke of grades I referred to quality.

Hon. Mr. WATSON—You have the words 'and other stuff.'

Hon. Mr. DAVIS—It would be very hard to establish a grade of feed. You might have ground barley in one sack and you might have ground oats or you might have a mixture of barley and other stuff. You would require a great many grades if you established grade for feed. People have to buy it on what their knowledge of feed is worth.

Hon. Mr. YOUNG--Subclause (b) of clause 6, dealing altogether with flour, meal and rolled oats, has to be read in connection with subclauses 3 and 4 of clause 4, which reads as follows:

3. When any such article is contained in a bag, sack or similar package, the gross weight of the bag, sack or package and of the article shall be taken to be the weight of the article.

4. A bag, sack or similar package of feed shall contain one hundred Dominion Standard pounds, gross weight, of feed.

Hon. Mr. LOUGHEED.

Subclause (b) of clause 6 reads as follows:

(b) With the gross weight of the bag, sack or package.

The gross weight of flour marked on a bag is a new departure entirely, and it will require the re-stencilling of all the bags that are at present stamped for the different firms—little and big. You find on all the bags 98 pounds of whatever grade the flour may be, and you are going to alter all that by having the additional figures put on, the gross weight. Subclause 4 of clause 4 provides that the bag or sack shall contain 100 pounds gross weight of feed. That is the trade custom.

Hon. Mr. LOUGHEED—That is for feed?

Hon. Mr. YOUNG—Yes.

Hon. Mr. LOUGHEED—This is the first time there has been any legislation as to the weight of a bag of feed.

Hon. Mr. YOUNG—But in the branding of a bag, by marking the gross weight on the outside of it, you include all packages of flour, meal, rolled oats and rolled wheat, and all these articles have been manufactured from time immemorial without this additional weight being put upon it; so that you will have a new departure which you may have to reckon with as inconveniencing dealers and adding great expense.

Hon. Mr. LOUGHEED—I am informed the Dominion Millers' Association recommended this.

Hon. Mr. YOUNG—They may have, but it does not alter the fact that you are making it necessary to add additional marks on every bag already branded. It is no trouble to give your order and stencil to a firm manufacturing sacks, all for the same money, but I am rather dealing with the stock-in-trade of bags in the various mills, which, when this Bill becomes law, will have to be restamped with these additional figures of the gross weight, whatever it may be.

Hon. Mr. LOUGHEED—It is the only way you can enforce uniformity.

Hon. Mr. YOUNG—Why will you require the gross weight, when you say that inside of that bag there shall be the weight the law compels you to give the purchaser?

Hon. Mr. LOUGHEED—The Dominion Millers' Association think it would work advantageously for the public and the trade that this should be done. I suppose all

legislation grows out of the necessities or requirements of trade.

Hon. Mr. YOUNG—Would the hon. gentlemen tell me the grounds on which they form that opinion. I cannot conceive that the Dominion Millers' Association would urge an additional burden on themselves unless they had a strong reason.

Hon. Mr. LOUGHEED—The stamping of these bags would be a bagatelle.

Hon. Mr. YOUNG—The hon. gentleman is right as far as the new bags are concerned, but how about the carloads of old bags in the country ?

Hon. Mr. LOUGHEED—They would put them through a stamping machine.

Hon. Mr. CORBY—I think in Ontario it has always been usual to sell flour by the hundred-weight. I was in the flour business for a number of years, and when we put flour in barrels we put in 196 pounds, but when selling by the bag we sold by the ton, and we usually allowed a pound off each bag.

Hon. Mr. DAVIS—I understand that 98 pounds of flour would be contained in a sack. We always considered that weight, a sack of flour. The millers selling the flour sold 98 pounds for a sack of flour, and they had to throw the sack in. To-day by this legislation, the millers will get something for the sack, because they weigh the sack, and get so much a pound for it.

Hon. Mr. CORBY—In Ontario, they sell flour by the hundred-weight, but the millers take back their bags.

Hon. Mr. DAVIS—That is the old style.

Hon. Mr. CORBY—No, they are doing it now in Ontario.

Hon. Mr. DAVIS—Do you mean the large mills in the west, should take back their bags? They would not get a quarter of them.

Hon. Mr. CORBY—They sell flour by the ton in Ontario, and not by the bag.

Hon. Mr. WATSON—I think in our legislation we should not increase the cost of living. We hear a good deal about the high cost of living. The Millers' Association in Ontario has decided that, instead of selling to the consumer 98 pounds of flour for a half barrel, as they have done for a great many years, they will sell 97 pounds, and the consumer will get a pound less than in the past. I think we should not get away from the fact that the consumer should be given 98 pounds for a half barrel of flour. The Millers' Association has evidently come to the conclusion that they are going to cut off a pound of flour to the consumer and get the same price for a sack of flour. A barrel of flour is 196 pounds, and one half a barrel 98 pounds. The bag should not be included in the weight of the sack of flour. When a man buys flour he is not buying the sack. There may be a sack weighing a pound or two pounds.

Hon. Mr. LOUGHEED—My hon. friend will appreciate the difficulty; let us assume the purchaser is buying 98 pounds of flour. How is that determined.

Hon. Mr. WATSON—If your inspection is any good, there will be 98 pounds in that sack.

Hon. Mr. LOUGHEED—You cannot inspect every bag of flour.

Hon. Mr. WATSON—You are going to insist on the name and the brand.

Hon. Mr. LOUGHEED—A man buying a sack will know whether he is getting 100 pounds, including the sack, but if he is asking for the net weight of the flour inside the bag, he cannot determine that without emptying the bag.

Hon. Mr. WATSON—A person buying bread in Ottawa knows the number of ounces he is getting. The inspector attends to that.

Hon. Mr. LOUGHEED—It is only occasionly inspected.

Hon. Mr. WATSON—The baker has to see to that. He does not know when the inspector is going to examine the bread. But in this legislation it is suggested that the purchaser may get 96 pounds of flour instead of 98.

Hon. Mr. ROSS (Middleton)—That is not possible. If he buys a sack of flour it must weight 100 pounds, and the sack weighs a pound.

Hon. Mr. WATSON—It is the feed which must weigh 100 pounds, the flour weighs 98.

Hon. Mr. DAVIS—But my hon. friend asks 'How are you going to find out if the people put the right amount into the sack?' If flour is packed by a large company for sale to the public, we assume they are not going to break the law. The law says there must be 98 pounds in a sack, and we assume there will be that quantity there.

Hon. Mr. WATSON—You can weigh it out yourself.

Hon. Mr. DAVIS—You are getting the worst of it, because they are getting a certain amount for that sack. Previously they had to furnish a sack with 98 pounds in it. It is proposed now that the sack and the flour contained shall weigh 98 pounds.

Hon. Mr. LOUGHEED—The material of which the sack is made, so far as weight is concerned, is very much more expensive than the feed.

Hon. Mr. WATSON—They have always had to furnish that.

Hon. Mr. DAVIS—I do not object to that clause at all.

Hon. Mr. YOUNG—It has been suggested that there is no way of procuring for the purchaser now, even the exact weight he is paying for. If hon. gentlemen will look at section 175 of chapter 85, they will find that there is a penalty for any one who offers for sale, knowingly, any barrel or half-barrel of flour or meal in which there is a less quantity of flour or meal than is branded thereon. There is a punishment for any one who says he has put 98 pounds of flour in a sack if it turns out there is less than that quantity in the sack.

Hon. Mr. DERBYSHIRE — This feed comes in carloads, done up in bags, and this feed is all marked, and then it is tested. You weigh five or six bags out of the car, and take the quality of it by that. You find that in the past there has been some deficiency, in the weight of some sacks, and also deficiency in quality; an agitation has taken place, and the Government has been urged that this Act be passed.

Hon. Mr. BOSTOCK—You are letting them off in regard to marking the quality ?

Hon. Mr. DERBYSHIRE—No, we are not letting them off anything. By the protection we receive under this measure we would get the proper weight.

Hon. Mr. CORBY—This clause distinctly says they have to put the weight on the bag.

Hon. Mr. BOSTOCK—What about the quality ?

Hon. Mr. LOUGHEED—Paragraph (b) provides for that.

Hon. Mr. BOSTOCK—I do not see that it does. It only applies to the marking of barrels. Section 5 of section 164 applies to the marking of the barrels, and when you put it in the barrel, you have to mark the quality and weight of the material it contains, but when you put it into a sack you only mark the weight and not the quality.

Hon. Mr. LOUGHEED—This section which is being repealed, only deals with barrels, or half-barrels, and not with bags or sacks.

Hon. Mr. BOSTOCK—And the new clause of section 5 deals with barrels, and in section (b) it says 'with the quality and weight of the flour or meal therein contained.'

Hon. Mr. LOUGHEED—But we are enlarging the section by including rolled oats and rolled wheat; that is the difference.

Hon Mr. BOSTOCK—But that does not explain why in one case, in (b) you say in section 5, which will be the new section 164, 'with the quality and weight of the flour and meal therein contained.' Then in clause 6, or 164-a, you say (b) 'with the gross weight of the bag, sack or package,' and you say nothing about the quality.

Hon. Mr. LOUGHEED—But we are now dealing with clause 5.

Hon. Mr. BOSTOCK—I understood we were discussing clause 6.

Hon. Mr. LOUGHEED—We have already dealt with 5.

Hon. Mr. POWER—I do not think that the hon. gentleman takes the objection made by the hon. gentleman from British Columbia. In the clause which we are now considering, while flour in a barrel or half barrel has to be branded with the quality, it is not so if the flour or meal is contained in a bag. I think that must be an oversight on the part of the department, and I suggest that it might be well to let this clause stand and let the officers of the department consider it. I think that what should be here is something like this: 'Every bag, sack or similar package of flour, meal, rolled oats, or rolled wheat shall be plainly marked with the quality;' and then that the feed shall be marked only with the initials and other things that you provide. Flour and meal should be protected as they are now, and there should be a different word for feed. I think that is worth considering.

Hon. Mr. LOUGHEED—Allow that to stand.

Hon. Mr. WATSON—I also suggest that 'the gross weight of the bag, sack or package' should only apply to feed, because it really does not make much difference to feed which is only worth about a cent a pound. Flour is a different proposition entirely, because it has three cents or three and a half cents per pound, and it makes a considerable difference to a consumer if he has to lose a pound of flour on every sack that he buys.

Hon. Mr. LOUGHEED—A sack will represent a good deal more than that.

Hon. Mr. WATSON—But he is getting the sacks now; the person has to furnish the package at the present time; you are going to give the miller the advantage of probably at least a pound of flour on every sack and let him get the same price, as he is getting at the present time. I do not suppose they will lower the price because this Inspection Act is coming into force. The hon. gentleman must understand that this is not new, for millers are putting up their flour in sacks at present, and will continue to do so. Of course the sacks are worth something to those who purchase the flour. When I was in the milling business I used to advertise this fact, and very often I would see beautiful aprons made by the ladies, and printed on them the words, 'Manufactured by R. Watson, Miller, Portage la Prairie.' They were very pretty aprons too.

Hon. Mr. LOUGHEED—You should encourage art of that kind.

Hon. Mr. DAVIS—Sometimes they would be marked 'XXX.'

Hon. Mr. WATSON—X X X or 'Strong Bakers.' The hon. gentleman should let the clause stand, because the department has not taken into consideration that according to the provisions of this Act the consumer will not get as much flour as he has in the past.

Hon. Mr. SMITH—Is it not the fact now that the package is weighed with the flour? I think the package is included in the weight.

Hon. Mr. DERBYSHIRE—All weighed together.

Hon. Mr. WATSON—I know that when I was in the milling business, I always put in 98 pounds of flour, and always made allowance for the sack.

Hon. Mr. YOUNG—Flour is not always packed in 98-pound sacks; it is packed in 50-pound and sometimes 10-pound packages.

Hon. Mr. WATSON—What was recognized in the past by law as a bag of flour was 98 pounds, and the smaller quantities would be half-bags and quarter-bags, and so on. When you come to the 10-pound packages, of course that speaks for itself; and those smaller quantities are usually put up in paper. It would be ridiculous to brand on a 10-pound package of flour the gross weight and net weight, for there would be only a hair's breadth between the two. To my mind, if the leader of the Government will take this matter into serious consideration, and consult the department, he will find that he is making changes that will be more annoying and aggravating than any good they will do. If the law requires strengthening so that a person buying 98 pounds would get 98 pounds, make it imperative, so that the purchaser cannot be deceived without a heavy penalty, but when you ask that the net weight and gross shall be marked on the bag—in some cases fine cotton is used which would not weigh more than an eighth of a pound—it will be seen what difficulty you are getting into without doing any earthly good to the trade or purchaser or anybody else. You are simply loading up your trade with some new-fangled ideas, that are not worth a button.

Hon. Mr. DAVIS—Are we going to let 164a stand?

Hon. Mr. POWER—Yes, the leader of the House has said he would let that stand.

Hon. Mr. LOUGHEED—I am quite willing to let that stand.

Hon. Mr. WATSON—Could the leader of the House inform the House as to what necessity there is for this legislation. Who has asked for it?

Hon. Mr. LOUGHEED—The Dominion Millers' Association have interested themselves very much in this.

Hon. Mr. WATSON—I thought so.

Hon. Mr. DERBYSHIRE—They are concerned for the farmers.

Hon. Mr. WATSON—Again I would say it looks like the Dominion Millers' Association. I do not think the consuming public have asked for it at all.

Hon. Mr. LOUGHEED—I might say to my hon. friend that there have been numerous representations, from Halifax and St. John particularly, for the passage of this legislation.

Hon. Mr. WATSON—For what particular part of the Act ?

Hon. Mr. LOUGHEED—Dealing with flour, meal and feed. I am told that there is a real necessity for the Bill as it now stands, and earnest endeavours are being made to ascertain the opinions of all parties concerned. (Hear, hear). As hon. gentlemen may possibly remember, this same legislation was brought up in 1912, and was discussed at very great length in the Commons, and it has been a subject of much communication between the Department of Trade and Commerce and the public ever since. May I be permitted to say in answer to what my hon. friend from Yale has asked in reference to the quality being stamped on the bags, that some years ago that was the practice, but of late years it has gone out of practice. Those purchasing flour, such for instance as dealers, rely upon the brands which are stamped on the bags. Every manufacturer has his brand or a name for a particular class of flour. As hon. gentlemen know, flour is now sold according to its brand. Its quality is determined by a particular brand or name given to that class of flour.

Hon. Mr. BOSTOCK—But this deals with feed as well.

Hon. Mr. LOUGHEED—As to the quality of feed, we are not trying to establish a standard or grade.

Hon. Mr. BOSTOCK—I think it is important that something should be done in that direction.

Hon. Mr. TAYLOR—I have received a number of letters from farmers and local manufacturers protesting against the quality of feed imported into and sold in this country. They complain that it is adulterated and yet is sold as genuine.

Hon. Mr. WATSON—Is there any feed imported into this country?

Hon. Mr. TAYLOR—Certainly.

Hon. Mr. WATSON—Where is it imported from?

Hon. Mr. TAYLOR—I know that a great deal is imported into Leeds and other parts of eastern Ontario, and there is complaint that this imported feed is adulterated. I do not know where it comes from, whether from the United States or the West.

Hon. Mr. POWER—If there is no object in having the quality stamped on a bag, why stamp it on the barrel? If a purchaser buys a bag containing 98 pounds of flour, he has a right to have the quality of that flour set out on the package just as much as if he had bought flour in a barrel. This ought to be considered.

Hon. Mr. YOUNG—The difficulty the leader of the Government finds himself in when dealing with this matter is the inclusion of feed in this clause. That tangles up the whole question. You cannot make provision for the whole of these products in one clause, because of the innumerable varieties of food on the market. It is the custom of the trade to brand on the outside of the package the grade of the article sold.

Hon. Mr. LOUGHEED—Is that now branded on bags?

Hon. Mr. YOUNG—Yes. Each bag is branded either 'strong bakers,' 'pastry' or whatever it may be—some trade name adopted by the manufacturer—and through usage the brand becomes well known to the users.

Hon. Mr. LOUGHEED—That is, the quality is not stamped but the brand is, and the trade recognize the brand as marking a particular kind of flour.

Hon. Mr. YOUNG—The ridiculous part of it is that when you come to make the gross weight and the net weight on a package, in some cases there will hardly be a hair's breadth between the two. A great deal of flour is put up in paper sacks, sometimes as much as 100 pounds. Fifty pounds is quite common, and quantities of 5 pounds are generally put up in paper. Now in that case, what difference can you make between the gross and net weight?

Hon. Mr. LOUGHEED—It does away with net weights. When you are buying a bag of flour you get the weight on the exterior of the package. Is not that more reasonable than to require that the interior of the package shall show the weight? As it is now, you can put the flour on the scales and determine whether it comes up to the weight marked.

Hon. Mr. DAVIS—The question is whether it is right or not to make the consumer pay for the weight of the package. The same thing occurs in buying groceries by retail; the package is put in with the article and forms part of the weight.

The clause was adopted.

On clause 7:

The said Act is amended by inserting the following section immediately after section 164a:—

164b. The provisions of sections 164 and 164a of this Act shall not apply—

(a) when flour, meal, rolled oats, rolled wheat or feed is, in the presence of the purchaser, weighed and put into the barrel, half-barrel, bag, sack, or other package; nor—

(b) when any of those articles is sold for export out of Canada, if the purchaser requests that the marks, or any mark, required by the said sections be not put upon the barrel, half-barrel, bag, sack or other package.

Hon. Mr. DAVIS—What is the meaning of subclause (b)?

Hon. Mr. LOUGHEED—This provides for conditions to which clauses 164 and 164a do not apply. It was inserted at the instance of the late Senator Campbell, who stated that his firm shipped a great deal of flour which the purchasers required to sell outside of Canada. They only wanted some mark for identification.

Hon. Mr. DAVIS—Would not that have the effect of reducing the value of our products?

Hon. Mr. LOUGHEED—The purchasers create a new brand, and consequently our standards do not apply.

Hon. Mr. POWER—I do not go so far as the gentlemen did two and a half years ago, who did not wish to have any truck or trade with the people south of us, but I do not think that we should make our legislation worse than it is at present, for the purpose of meeting their convenience. Subclause (a) says that when flour, meal, etc., is weighed and put into the package in the presence of the purchaser, the provisions of sections 164 and 164a do not apply. Now, suppose the flour is put into the package at a mill in western Ontario, and the immediate purchaser is buying 100 or 500 barrels; he or his agent is there, but under this subclause the retailer who purchases from the wholesale dealer would have no protection at all. It is only the wholesale purchaser who happens to be present personally or by his agent who is satisfied. This is a change in the law which I think really objectionable. Then come to subclause (b). The same sections of the Act do not apply to articles sold for export out of Canada if the purchaser request that no marks be put on the package. It seems to me that if flour is being sent to England or Germany, there should be the same marks for the information of the purchaser as if the flour were to be sold in Canada. I do not think the fact that a purchaser in New York or Baltimore would sooner not have those marks on, is any reason why we should alter the law. The law as it stands is a great deal better than this.

Hon. Mr. DAVIS—Under this subclause any person might go to a mill and have flour put up in packages weighing ninety-two or ninety-four pounds and sell them for regular packages of ninety-eight pounds. How are you to stop him? I suppose the idea was to provide for farmers going in to purchase a sack or two of flour, but you open the door to fraud.

Hon. Mr. LOUGHEED—We might limit the quantity.

Hon. Mr. WATSON—I fully agree with what has been said by the hon. member from Halifax with regard to subclause (b). We have been attempting for a number of years to keep up the standard of Canadian products, but this is throwing the door wide open for fraud in the sale of flour. We require those who put up apples and other products to do so in a certain way and to brand their packages, and we are particular to keep up the grades of our wheat, so that the importer in England will know the quality of the wheat he is buying. We surely ought not to allow our millers to degrade our flour and perpetrate a swindle on the public.

Hon. Mr. THOMPSON—I do not see how you can prevent the purchaser, when he gets the article outside of this country putting it into other packages and branding it as he pleases.

Hon. Mr. WATSON—That is a different matter.

Hon. Mr. THOMPSON—If there is no mark on the package, it is not known to be Canadian.

Hon. Mr. WATSON—We should see that it leaves here all right.

Hon. Mr. DAVIS—How are you going to prevent a man selling flour as Canadian if he chooses to do so?

Hon. Mr. THOMPSON—He can do that if he likes. When it goes over the border and he gets it in his warehouse he can repack it, if he pleases. We cannot follow him into foreign country and enforce the provisions of our law.

Hon. Mr. DAVIS—If a man wishes to be crooked, there is no reason why we should assist him in perpetrating a fraud.

Hon. Mr. THOMPSON—The late Senator Campbell, as a miller, said that there were people in the United States who wanted our flour to mix with theirs. They would not sell it as Canadian flour but under their own brands.

Hon. Mr. WATSON—The United States have not been taking flour from Canada.

Hon. Mr. THOMPSON—Very little. The consumers in the United States prefer the product of the Minneapolis mills to anything we have to offer.

Hon. Mr. CORBY—The United States millers are buying our grain and mixing it with theirs. I cannot see what control we can exercise over those who import our flour into the United States. They can take off any brand we may put on, and use their own brands. That is why I do not see how we can make any provision as to quality. How can we specify exactly the quantities and proportions so long as they blend our flour with their own.

Hon. Mr. WATSON—I have no doubt the dealers in England and the United States look after their own interests, as we are looking after the interests of our people here. We make provisions which govern imported articles, and no doubt they do the same. We should not enact a provision in our law, which would go to encourage the deterioration of any Canadian product, natural or manufacturing.

Hon. Mr. SMITH—It does not seem to make much difference whether it is marked or not when it is going to a foreign country, where we have no standards for flour registered.

Hon. Mr. WATSON—Yes.

Hon. Mr. SMITH—Absolute standards I mean.

Hon. Mr. WATSON—I think there are different brands of flour known in the markets—Ogilvies, and Lake of the Woods. I think they are copyrighted, and we have inspection.

Hon. Mr. SMITH—Some one spoke about the branding of apples. There are standards of apples, but there is none for flour.

Hon. Mr. DAVIS—We have standards of flour and they are known in England and other parts of the world.

Hon. Mr. THOMPSON.

Hon. Mr. SMITH—Subclause (a) provides for a sale when the person purchasing is there to see and measure it. Some one objected that the purchaser who had it put up in packages of 92 and 94 pounds could sell those packages afterwards as if they contained the full weight. The moment any one undertook to do so he would come under the provisions of the law which provide that a package shall contain 98 pounds.

Hon. Mr. DERBYSHIRE—But he would not do that as a Canadian.

Hon. Mr. DAVIS—We are not exporting much flour to the United States; most of it goes to England, and our standards are known there. Now under this clause you would permit people to come and buy flour and put their own brand on it.

The clause was allowed to stand.

On clause 19.

Section 356 of the said Act is repealed, and the following is substituted therefor :

Every person who sells or offers for sale by the bag any of the vegetables mentioned in subsection 2 of section 337 of this Act, shall, in case any bag of such vegetables sold or offered for sale by him does not contain at least the number of Dominion standard pounds required by the said subsection, be liable, on summary conviction, to a penalty not exceeding twenty-five dollars for a first offence, and for each subsequent offence to a penalty not exceeding fifty dollars.

Hon. Mr. DAVIS—You are just taking out the province of Quebec.

Hon. Mr. POWER—And extending it to the other provinces.

Hon. Mr. CORBY—To make it uniform.

The clause was adopted.

On clause 20.

Chapter 15 of the statutes of 1911 is repealed.

Hon. Mr. DAVIS—What is that chapter that you propose to repeal?

Hon. Mr. LOUGHEED—It is the old law regarding potatoes. It is repealed so as to avoid repetition. They agree with the other provinces as to potatoes.

Hon. Mr. GORDON, from the committee, reported that they had made some progress with the Bill, and asked leave to sit again on Tuesday next.

NATIONAL COUNCIL OF WOMEN INCORPORATION BILL.

SECOND READING.

Hon. Mr. KERR moved the second reading of Bill E, 'An Act to incorporate The National Council of Women of Canada.'

Hon. Mr. KERR—This society has been carried on in an unincorporated condition for a number of years, and has attained a very considerable influence for the purposes which are stated in the Bill, the second clause of which provides:

2. The object of the council shall be to unite in a Dominion federation, for the betterment throughout Canada of conditions pertaining to the family and the State, all societies and associations of women interested in philanthropy, religion, education, literature, art or social reform.

The object, then, is the establishment, in any part of Canada, of branches, and the membership already existing is to be continued as the membership of the association as incorporated. There is no real reason why the principle of the Bill should not be accepted, as it has to go before the committee.

The Bill was read a second time, and referred to the Standing Committee on Miscellaneous and Private Bills.

The House adjourned until Tuesday, the 17th inst., at 3 p.m.

THE SENATE.

Tuesday, March 17, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

NATIONAL TRANSCONTINENTAL RAILWAY INVESTIGATING COMMISSIONS.

INQUIRY.

Hon. Mr. CASGRAIN inquired:

1. How many copies of the report Lynch-Staunton-Gutelius report have been printed?
2. Is the Government aware that no more copies can be had?
3. Will the Government kindly have more copies printed?

Hon. Mr. LOUGHEED—A large number of copies of the report have been printed, and my hon. friend will be able to secure some copies in a few days.

Hon. Mr. CASGRAIN—May I ask where they are being printed?

Hon. Mr. LOUGHEED—I understand at the Government printing office.

Hon. Mr. CASGRAIN—That is not my information.

Hon. Mr. LOUGHEED—I understand that they are being printed there.

Hon. Mr. CASGRAIN—I am told that they are being printed at the Gazette printing office, in Montreal.

Hon. Mr. LOUGHEED—I have not heard of it, but if they are it is a very good place to print them, I should say. However, I shall get the information for the hon. gentleman.

DOMINION GOVERNMENT TELEPHONE SERVICE IN BRITISH COLUMBIA.

INQUIRIES.

Hon. Mr. BOSTOCK inquired:

1. Who has been appointed to the vacancy in the Dominion Government telephone service, caused by the death of Mr. L. A. Palmer?
2. By whom was the new appointee recommended for the position?
3. What experience has he had of telephone work in the past?
4. What other qualifications has he for the position?
5. Is he related in any way to any member of the House of Commons?

Hon. Mr. LOUGHEED—The answers are the following:

1. Mr. W. H. Stevens.
2. Hon. Martin Burrell.
3. No information in the department.
4. The superintendent of the British Columbia lines states that he is qualified for the position.
5. No information in the department.

Hon. Mr. BOSTOCK inquired:

1. Is the Government aware that there appeared in The Province, a newspaper published in the city of Vancouver, in the province of British Columbia, in its issue of the 10th of January, 1914?

Regimental Orders.

British Columbia Horse.

2. Regimental Order No. 2, by Lieut.-Col. C. L. Flick, Commanding 31st Regiment British Columbia Horse, Headquarters Merritt, B.C., January 2, 1914.
3. Telegrams.—In future it is requested that all telegrams for Merritt Headquarters be marked via Canadian Pacific railway. This applies also to telegrams for O. C. Regiment at Lower Nicola. The service over the Dominion

Government line from Kamloops is faulty and generally unsatisfactory.

C. Tyner, Lieut.,
Acting Adjutant.

4. Has representation been made to the Government of the unsatisfactory condition of the Government telephone line and the service over it?

5. If so, what steps will they take to have the Government telephone service improved so that the service may be made satisfactory to the public?

Hon. Mr. LOUGHEED—To questions 1, 2 and 3, the answers are, no.

4. No representations have been received by the Militia Department from the officer commanding 31st Horse.

5. The superintendent of the line reports it to be in a satisfactory condition.

IMPROVEMENTS ON LACHINE CANAL.

MOTION.

Hon. Mr. CASGRAIN moved:

That this House regrets that the Government has chosen this inopportune time to draw the water from the Lachine canal, thereby depriving factories of power, and employees of these factories of work.

He said: This question is one of very vital interest to the working people, the factory owners and employers of labour in Montreal. The withdrawing of the water from the Lachine canal since the 1st of March and up to the present time has been a great hardship to these people. As a rule, the water is drawn off for about four weeks in April, immediately before the opening of navigation, for the purpose of making the necessary yearly repairs, and scouring silt, &c., out of the canal. The canal officials are generally aware of the time when the work will have to be done, and are prepared in consequence, and the work is carried on at a time when it is least inconvenient to those who use the water-power. It is then not such a hardship as it is when the water is drawn off earlier. The Government had intended in the first place to withdraw the water from the canal last fall, and leave the people without water-power all winter. The effect of which would have been to close up the factories all winter. All those who are familiar with the industries along the Lachine canal know the large number of men employed there. The water-power from the Lachine canal is the cheapest power available; this water-power is necessary for the carrying on of certain works, for which steam or electricity, obtained from the electric companies, would be too expensive. The Government, this year of all years, when work has been so scarce, have thought fit to make some extraordinary repairs. The newspapers have published photographs of the immense works, the expenditure on which will amount to a quarter of a million dollars. I went to see the works myself, because I could not understand why such works were necessary at this time. At the present moment the work being carried on is the widening of the weir of lock No. 4, which is the first lock after leaving Lachine; the reach is about four or five miles between lock No. 4 and the entrance of the canal at Lachine, and there is a drop there of some 12 feet. Some factories are using that power. If those factories alone were deprived of the power it would be a small affair indeed. It appears to me it would have been possible to let out the water in the lower reach, which is 12 feet lower, and with a very small coffer dam this work might have been carried on without taking the water out of the canal entirely. I dissent very strongly from what the leader of the House said here the other day—that I was introducing this question in order to create political capital. I take exception to that; there is a well established rule of this House which says we are not to impute motives to one another. I am not seeking any office in the city of Montreal, and have no intention of doing so, or of currying favour; but I have been connected, this winter, with quite a number of charitable institutions—the St. Vincent de Paul Society, of which I am chairman for my parish, the Salvation Army and others. The workers in those organizations have told us that, going back for more than thirty years, they cannot remember so many unemployed in the city of Montreal as we have had this winter, and have at the present moment. Therefore it is most inopportune to deprive of work, those who were fortunate enough to have it, for honourable members must remember that in doing so not only those men themselves, but a large number of other people who are depending upon them, are also being deprived and being stinted. In the usual order of things those men would have had steady employment. The point I am trying to make is that there was no urgency in the matter. I know that hon. gentlemen on the other side were very strong at one time on emergency—but there is no emergency in this case at all—there is no intention of finishing this work until the opening of navigation, anyway. The idea is to do a certain part of the work, whilst among

the works that are supposed to be an emergency is the erection of a building for a new power house. Only a few years ago a power house was erected at lock No. 4, Lachine canal, for the purpose of lighting the canal, and, if I am right, also to supply the necessary power to open and close the canal gates. The intention now is to tear down the old power house entirely, and build a new one. I claim there is no necessity for that at present, and that the time is inopportune. Besides that, the idea is also to straighten the canal beyond this point. The intention is to do this work after the water is let in the canal, during the course of the summer. I saw a large force of men working there but I do not know how many shifts are employed. I cannot resist calling the attention of the Senate to the fact which appeared in the public press, that the workmen are actually pulling down some of the foundations that were put there in 1826, a great number of years ago as hon. members of this House will see, and those foundations were discovered to be as good as they were on the day they were first laid. Indeed there is a doubt as to whether the foundations being put in now will stand as long as the old ones did. There are always, among the officials of the Government, a lot of busy-bodies who want to do a great deal of work which is sometimes uncalled for, and the Government should guard against these people. I do not know who suggested this work. The canal has been in perfect working order for many years, ever since the draught has been changed. At first the depth was only five or six feet. Then, after a great deal of time, it was changed to nine feet, and we had a nine foot navigation. For the last twenty or twenty-five years we have had a fourteen foot navigation clean through from Montreal to the head of lake Erie. I may say, en passant, that the Government were so long in making the fourteen foot navigation, that the size of the ships had outgrown that depth of water before the work was done; after we had the fourteen foot navigation no ship was ever built to accommodate that navigation Hon. gentlemen know that with a fourteen foot navigation you can bring down some eighty or eighty-five thousand bushels of grain in one ship. It was thought that was big enough, and those ships could ply on the Upper lakes. I beg pardon for the transgression, but it is only to explain what has taken place on the canal. The water at fourteen feet is working satisfactorily, and the canal has never been taxed to one-quarter of its capacity. It could pass four times as many ships as go through now. I do not wish to say anything about the Welland canal; it is not apropos to the present discussion. The Welland canal was able to cope also with all the traffic that was there. One could sit on the bank of that Welland canal and light his pipe, and could not see a ship for half an hour or an hour at a time; there is no necessity for increasing the capacity of that canal at present, especially when the other canals are only fourteen feet. However, be that as it may, why this year has been selected of all other years for making these extensive improvements is a mystery to me.

Hon. Mr. BAIRD—Is it not customary to make these repairs every year, or is it only this year, and never any other year?

Hon. Mr. CASGRAIN—The question of the hon. gentleman shows that my remarks have not been listened to carefully. I am trying to show that these are not ordinary, but extraordinary repairs, and that this is an extraordinary time to make them.

Hon. Mr. BAIRD—Are they not made every year?

Hon. Mr. CASGRAIN—The repairs are generally made during April—during three or four weeks every year.

Hon. Mr. BAIRD—But made every year.

Hon. Mr. CASGRAIN—The complaint I am making is that the repairs at this time are taking nine weeks and depriving people during the month of March of work, the factories being closed down.

Hon. Mr. BAIRD—Does this extraordinary work not give employment to men?

Hon. Mr. CASGRAIN—I have seen a large gang of Italians working there, but the people employed in the factories—and there are thousands of them are out of work in the meantime.

Hon. Mr. BAIRD—These people know that this work goes on every year, and they make preparations for it.

Hon. Mr. CASGRAIN—This work is generally done in four weeks, and the work at the present time is taking two months.

Hon. Mr. BAIRD—I am simply asking questions.

Hon. Mr. CASGRAIN—The usual repairs each year are expected, during the latter end of April, lasting perhaps four weeks at the outside. This year the work has started on the first of March, and if the Government had its way it would have started the work last fall, and let the water out of the canal for the whole winter.

Hon. Mr. GORDON—The hon. gentleman appears to have given this matter a great deal of consideration, and I have no doubt he can tell us exactly how many men have been thrown out of employment, and how many men are employed on the new work.

Hon. Mr. CASGRAIN—In the first place they are not the same men.

Hon. Mr. GORDON—But how many?

Hon. Mr. CASGRAIN—In the second place judging by those I saw there, I should say there would be a couple of hundred men on the work, making a rough estimate of the number—guessing at it—but if the hon. gentleman, who knows Montreal very likely as well as I do, would go down and see the mills of the Ogilvies and others, he would find that those factories along Mill street, cover nearly a mile of territory and employ thousands of men, not hundreds.

Hon. Mr. GORDON—Can the hon. gentleman not get any nearer it than that? The hon. gentleman has given this matter a lot of consideration. It is said in some quarters that there are not many men thrown out of employment.

Hon. Mr. CHOQUETTE—Ask Bourassa for the information.

Hon. Mr. CASGRAIN—If the hon. gentleman is very anxious I should suggest that he put an inquiry on the paper and ask the Government the exact number of people they have thrown out of employment through making extraordinary repairs this year.

Hon. Mr. GIRROIR—Have all these factories the hon. gentleman speaks of closed down?

Hon. Mr. CASGRAIN—All the factories which are getting their power from the canal are closed down for want of motive power. Those that I saw were absolutely closed down.

Hon. Mr. GIRROIR—They have no other motive power?

Hon. Mr. CASGRAIN—None that I know of.

Hon. Mr. GORDON—How many factories?

Hon. Mr. CASGRAIN—The hon. gentleman will have a nice chance to make a speech when I get through. If he will put all his questions together, they would make quite a little speech. I give the Government some little warning in regard to this work, and especially that hon. gentleman from Nipissing, that his former political friends —because we are not supposed to have political friends in this House—were very unfortunate the last time they unwatered the Lachine canal for a considerable time in order to build the Curran bridge. For instance, we all remember about the Curran bridge in the year 1893. That was the last time extraordinary works were undertaken on the canal—and they were extraordinary works. I do not want to go into a discussion of this nature, but I would like, if I were invited to do so, to take just one small item to show all that was done at that time, and why the Government should be careful as to how the works are being done at the present time. The hon. leader of the Government told us, when he spoke on this question before, that contracts had been given for this work. I do not see the name of any contractor there, and I think that the work is being done, like the old Curran bridge, by day work. When that Curran bridge was built, the work was referred to as the Curran bridge scandal. The bridge was only 220 feet in length, and was built of iron and stone—all iron and stone. Still the Government paid at that time, according to sworn evidence taken before Judge Desnoyers, for 3,600,000 feet board measure of lumber to build that bridge. Now to grasp a thing like that a comparison must be made. In those days a car took about 10,000 feet of green lumber; therefore it would have taken 360 cars to carry the lumber to a bridge 200 feet long made of iron and stone; it would have made a train two miles and a quarter long, leaving no place for the locomotive. The lumber could not have been piled near the place. Just now we are talking about canals, and we hear talk about the Trent Valley canal. Well, if people want to talk about the Trent Valley canal, they can also, at the same time, talk about the Curran bridge and compare the two—whether they put 215 car loads of lumber in there, and paid for it, as has been done in this case. I could go on but I do not want to occupy the time. I think I have made it clear that this year, of all years, the Government should not have allowed this

stoppage of work; when Canadian Pacific railway stock is selling at 204, whereas, in the good old days it used to sell at 280; when the Canadian Northern is in a position that we all deplore—and this Government does not know what to do with it; when the Dominion Iron and Steel Company are passing their dividends; when many settlers in the Northwest are leaving the country because they cannot sell their wheat at more than 65 cents a bushel, and when, according to the most reliable information, they do not make very much money even at that price. With all those things put together—when money is scarcer in Montreal than it has been for years and years, when real estate is at a standstill, when drafts are coming back unpaid not only from the Northwest, but from many parts of this country, and when work is so scarce, the Government would have been wise if they had left these people the balance of the month of March to work instead of starting operations for which there was no emergency, and for which there was no reason for doing right away. The Government did what I regret to say was an act uncalled for at the time. It is too late now to remedy it. When I made the motion, it would have been time then, perhaps to turn on the water, but the time has elapsed and it is too late now; but it is with sincere regret that I have to move this motion.

Hon. Mr. Young seconded the motion.

Hon. Mr. LOUGHEED—I hold in my hand a letter from the Chief Engineer of the Department of Railways and Canals, explaining why the canal has been unwatered, and I shall take the liberty of reading it:

Office of the Chief Engineer,
Ottawa, Ont., March 5, 1914.
Memorandum.

Owing to the increasing difficulty in maintaining the regulation elevation of the water in the lower reaches of the Lachine canal and more particularly the reach immediately below the Côte St. Paul lock, it has been found necessary to remodel the regulation works at these locks and provide a by-pass for the water from the upper to the lower reaches independent of power sluices. Advantages will be taken of the opportunity offered to put in the foundations of the new power house of the canal at this point.

It has been the practice for a great many years to unwater the Lachine canal for a month prior to the opening of navigation, for the purpose of making necessary repairs. This period is usually taken advantage of by the mills and many of the other industries along the canal to effect necessary alterations or repairs to their own works. It however frequently transpires that works in the lower reaches are seriously interrupted during this period by reason of backwater from the St. Lawrenec river, so that it seldom occurs that a full month is available for the work.

It is not possible to accurately estimate the time required for the proposed work at Côte St. Paul and it is realized that should these works not progress as rapidly as estimated, either on account of unforseen difficulties in themselves or from interruptions from without, serious interruption of navigation would result from deferring their commencement until too late in the season. It was at first proposed to unwater the canal during the month of December owing to the fact that at this season there would be freedom from ice troubles, and further, owing to an understanding that a number of industries along the canal purposed closing their works, either in whole or in part, for reasons of their own. A large delegation met the acting minister of this department and protested strongly against the closing of the canal at that season, and in deference to their representations the acting minister gave instructions for further consideration of the problem with a view to determine whether it were possible to devise a scheme for executing the necessary canal works without serious injury to the local interests. As a result of this further study, it has been determined that the canal works cannot be executed without unwatering the canal, and the date for the unwatering was fixed for March the first, with a view to the readmission of water to the canal at the earliest possible moment, by prosecuting the construction night and day continuously; the spring repairs being carried out during the month of March.

W. A. Bowden,
Chief Engineer.

Now, hon. gentlemen, the responsibility of properly maintaining and operating not only this canal but the public works of the Dominion rests upon the Government of the day. That Government, whether Liberal or Conservative, must necessarily be advised on subjects of this character by its staff of engineers. The Dominion Government, so far as it is possible, secures the best talent obtainable for the purpose of professionally advising the Government as to works of this particular character. The Enginnering Branch of the Department of Railways and Canals was advised that this work was absolutely necessary, not only for the purpose of changing the construction alluded to in this letter, so that the canal might be properly operated, but likewise that advantage might be taken at the same time for the purpose of laying the foundations and proceeding with the building of a new power house, necessary to the proper operation of the canal. My hon. friend seems to take issue with the Government as to what they have done in this particular case. It is a question as to whether the members of this Chamber are to rely upon the advice of my hon. friend upon such a matter of very great importance, and upon which the navi-

gation of the St. Lawrence very largely depends, or whether they shall regard the advice of the corps of engineers attached to the Department of Railways and Canals. True, the Government of the day has not the advantage of the professional knowledge, standing and experience of my hon. friend. From time to time my hon. friend has informed this Chamber of his wide grasp and comprehensive knowledge on engineering questions of this character, but he is in the Senate and his services cannot well be taken advantage of by the Government, and therefore possibly the Government may be labouring under the disadvantage of taking, from professional men, advice which is inferior to that which my hon. friend would be able to give were he unattached. This of course is a matter of regret; it may be possibly a matter of public inconvenience, that the Government is thus so placed.

Hon. Mr. WATSON—You have received advice several times this session free of charge.

Hon. Mr. LOUGHEED—My hon. friend has heard things on the street. He has strolled along the canal and with that inherent knowledge which he possesses, he immediately came to the conclusion that what the engineers of the department have been advising, was entirely wrong, and that they knew nothing about it. Now what are the facts of the case? This canal is unwatered every year. The facts are that the leases which have been granted from time to time to the various industries that use the power from the canal, make provision that this canal shall be unwatered during a certain length of time each year, and they are expected to provide for themselves auxiliary plants during that period. If that were not the case, the Government of the day would be remiss in its duty. It would permit this canal to remain without inspection or examination, though even the navigation of the St. Lawrence might be blocked. It only requires me to say to the hon. gentleman that it is quite manifest that an important public work of this kind must be closely examined, must be maintained and operated, and to do that it can only be inspected by unwatering the canal every year. Now it was proposed to do this work on the 1st of December, but in deference to representation to the Government, by the parties interested, the Government deferred making the improvements until the 1st of March. The contract has been given to a very reliable firm, and as large a staff of men as can be used has been employed, they are working day and night, and it is expected that the improvements to the canal will be completed by the 1st of April. From what my hon. friend has said, one would suppose that the Government takes delight in inconveniencing the industries of the city of Montreal, and subjecting to privation the unemployed and those who are desirous of earning their bread. Solicitous as my hon. friend may be, and active as he may be in charity and good works, the Government is more solicitous than he is that there shall be no inconvenience, no destitution, no privation such as my hon. friend has outlined. It is not a matter of politics: it is a matter of superintending and maintaining the public works of the Dominion. I think I am justified in saying the works will be completed by the 1st of April.

An hon. MEMBER—The 1st of May.

Hon. Mr. LOUGHEED—No, the 1st of April. That is the contract which has been entered into between the Government and the parties who are employed on the canal. This will permit of navigation being unimpeded in the event of navigation opening early. I do not think it requires me to say anything further. If hon. gentlemen think the Government should be censured for doing its duty in properly inspecting and maintaining this canal, with a view to its proper operation, I have nothing more to say. Does my hon. friend press his motion?

Hon. Mr. CASGRAIN—Lost on a division.

The motion was declared lost on a division.

BILLS INTRODUCED.

Bill (T), an Act respecting the Sterling Life Insurance Company of Canada.—Hon. Mr. Talbot.

Bill (U), an Act respecting the W. C. Edwards Company, Limited.—Hon. Mr. Beique.

THIRD READING.

Bill 11, An Act respecting the Burrard Inlet Tunnel and Bridge Company.—Hon. Mr. Bostock.

Bill (C), An Act to incorporate the Atlin Railway Company.—Hon. Mr. Davis.

IMPORTATION OF THOROUGHBRED STOCK.

DEBATE ADJOURNED.

The Order of the Day being called.

Resuming the adjourned debate on the inquiry of the Hon. Mr. Casgrain:

That he will call the attention of the Government to some unsatisfactory features regarding the regulations for the importation, duty free, of thoroughbred mares and stallions, and will inquire whether it is the intention of the Government to remedy these conditions should they exist.—(Hon. Mr. Douglas.)

Hon. Mr. DERBYSHIRE—In the absence of the hon. member from Tantallon (Hon. Mr. Douglas) I would ask that this stand until to-morrow.

Hon. Mr. POWER—This matter was referred to a committee which has had one meeting, and which proposes to have another within the next day or two, but the report will not be ready to-morrow. I have the honour to move, seconded by Senator Bostock that this Order of the Day be discharged, and the debate be resumed next Tuesday.

The motion was agreed to.

SECOND READINGS.

Bill (O), An Act respecting the Pacific Trans-Canada and Hudson Bay Railway Company.—Hon. Mr. Davis.

Bill (P), An Act for the relief of Ella Rose Morris.—Hon. Mr. Derbyshire.

Bill (Q), An Act for the relief of Alicia Hill.—Hon. Mr. Derbyshire.

INTERNATIONAL JOINT COMMISSION.

SECOND READING.

The Order of the Day being called.

Second reading Bill 90 An Act to amend an Act relating to the establishment and expenses of the International Joint Commission under the Waterways Treaty of January 11, 1909.—Hon. Mr. Lougheed.

Hon. Mr. LOUGHEED—It is proposed to make some minor changes in this Act. It is proposed to place the administration of the Act with the Secretary of State, substituting the Secretary of State for the Minister of Public Works. Section 2 deals with the question of the secretary's salary, section 3 deals with the maximum amount which may be expended in a certain branch of the commission.

Hon. Mr. POWER—I think the hon. leader might have given the reasons which induced the Government to transfer this undertaking, if one may so call it, of the Joint High Commission, from the Minister of Public Works to the Secretary of State.

The commission really has to do chiefly with works which come under the jurisdiction of the Minister of Public Works, and we have not been given any sufficient reason why the change should be made. As to the Secretary of State for External Affairs, I doubt, on the whole, the wisdom of making this change. The Secretary of State, properly so called, is supposed to be the head of the department, but an Act was passed some three or four years ago providing that cases of this kind, relating to external affairs, should be dealt with by a special department; and a gentleman very well known, a very prominent and important member of the Civil Service was appointed Under Secretary for External Affairs. But while this Under Secretary for External Affairs is supposed to be a confidential officer attached to the Department of the Prime Minister, unfortunately he has no office in the public buildings at all. If a stranger comes to Ottawa to look for the Department of External Affairs, he will have to be piloted to a building down on Bank Street, and there he will find the Under Secretary for External Affairs comfortably located over a barber's shop. Now, before we provide that the United States commissioners, who are joined with our commissioners in this International Joint Commission, shall be obliged to deal with the Under Secretary for External Affairs, that gentleman should have an office here in the public buildings. It is not the right thing that those distinguished gentlemen from Washington should have to be piloted down to this office over the barber's shop.

Hon. GENTLEMEN: Hear, hear.

Hon. Mr. LOUGHEED: I would say, in answer to what my hon. friend has stated, that it is manifestly more convenient to have the International Joint Commission under the Secretary of State for External Affairs than under the Department of Public Works. Many of the departments are concerned in the business of the International Joint Commission, and therefore it is very desirable that its affairs should be vested in a department that can have communication with the various departments of the Government, as the Department of State has. I think that goes without saying. As to the environments of the rooms occupied by the Deputy Minister of

External Affairs, I cannot at present give any opinion except to say that the business of this Dominion is growing so fast that the present departmental buildings are not sufficiently large to provide for all the officers of that department. I have no doubt that in due time, when the new departmental buildings are erected, the Deputy Minister of External Affairs will be surrounded with all the appointments that the most exacting of foreign officials or representatives may expect when they come to Ottawa to visit that department.

Hon. Mr. CASGRAIN: Whilst we are on this Bill, perhaps the leader of the Government could inform this House what is the exact nature of the work that is being performed by this commission. We see now and then in the papers that the Joint Commission on Waterways has met in Detroit. Perhaps this would be an opportune time to inform us what these gentlemen are doing; whether the commission is a permanent office, and what it is costing the Government, etc.; because I am sure it would be interesting to know what we are doing in amending an Act which I do not suppose many are very familiar with. The commission was formed by the late Government, which had made some appointments, but when the Government was changed—although there was a treaty to which the high contracting parties were the United States Government on one side and His Majesty on the other side—His Majesty's Government was a party to the dismissal of the former commissioners—a thing unheard of—and appointed in their stead men who, I dare say, were very creditable but no better than those who were there before. However, there was a change made on the commission when the change of Government occurred; and I suppose another change will be justified in case of another change of Government. I do not want to press the leader of the Government unduly, but perhaps he could tell the members of this House, on the third reading of the Bill, if not now, exactly what this joint commission have been doing. We see in the papers lately that they have been busy in Detroit, but we are in the dark as to the work that is being done, although the country is paying their share of the expense.

Hon. Mr. LOUGHEED—All I can say is that they are engaged in adjusting international differences between the United States and Canada with reference to boundary streams and waters.

Hon. Mr. CASGRAIN—That is very vague.

Hon. Mr. LOUGHEED: That is about all I can say to my hon. friend. To enter into other particulars would be rather difficult just at the present moment.

The motion was agreed to.

INSPECTION AND SALE ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself again in Committee of the Whole on Bill (J), An Act to amend the Inspection and Sale Act.

(In the Committee.)

Hon. Mr. POWER—My understanding was that after due consideration the officers of the department proposed to make some modifications in the Bill, as submitted the other day. And I think, on the whole, it would be better if we had those changes when we go into committee.

Hon. Mr. LOUGHEED—I can tell the committee what they are, and we can rise, report progress, and ask leave to sit again.

On clause 4,

4. Section 163 of the said Act is repealed and the following is substituted therefor:—

163. Every barrel and half-barrel of any article mentioned in this section shall contain, respectively, that net weight of the article which is shown in this subsection opposite the name of such article, that to say:

Description of Article.	Net weight in Dominion Standard pounds. Barrel.	Half barrel
Flour	196	98
Meal	196	98
Rolled Oats	180	90
Rolled wheat	100	50

2. When any such article is contained in a wooden package other than a barrel or a half-barrel, the net weight of the article contained in the package shall be taken to be the weight of the article.

3. When any such article is contained in a bag, sack or similar package, the gross weight of the bag, sack or package and of the article shall be taken to be the weight of the article

4. A bag, sack or similar package of feed shall contain one hundred Dominion Standard pounds, gross weight, of feed.

I suggest that subsection 3 of section 163 should be changed to read as follows:

When any such article is contained in a bag or a similar package, the weight of the contents thereof shall be taken to be the weight of the article.

There was a great deal of discussion the last day we dealt with this Bill, as to what

the weight should include—as to whether it should include the gross weight of the entire package, or the weight of the contents. This, I understand, is the way it was passed in the Commons in the session of 1912, but was dropped when it came up in the dying hours of the session to the Senate. Subsection 2 deals with barrels and wooden packages. There the net weight governs. We practically make the same provision applicable.

Hon. Mr. YOUNG—We practically make subclause 3 agree with subclause 2.

Hon. Mr. LOUGHEED—Yes. It is proposed to change subsection 4, dealing with feed, to read as follows:

The weight of the contents of a bag, sack or similar package of feed shall be one hundred Dominion Standard pounds.

Hon. Mr. YOUNG—Has the attention of the hon. leader been called to this phase of the matter, by this provision all feed shall be packed in bags of 100 pounds? It might, as a matter of convenience in trade, be 50 pound sacks. Why not have the feed clause to the effect that the weight marked on the bag shall be the weight of the contents? If it is a 50 pound sack, or an 80 or 100 pound, the weight marked on the bag shall be the weight of the contents, the same as in the case of flour.

Hon. Mr. DERBYSHIRE—Bran is put up in 200 pound sacks.

Hon. Mr. YOUNG—You might have a light feed, which it might be inconvenient to put into an ordinary bag of the quality used for sacking feed, or you might have a very heavy feed and you might put in say 200 pounds.

Hon. Mr. BEIQUE—I think it should not be left to the vendors to sell by any weight at all. The weight should be provided for.

Hon. Mr. YOUNG—Unless they mark it on the bag.

Hon. Mr. BEIQUE—No, I think the weight should be specified by the Act.

Hon. Mr. YOUNG—Then the same argument applies with regard to flour?

Hon. Mr. BEIQUE—Possibly.

Hon. Mr. YOUNG—Let us have uniformity in the matter.

Hon. Mr. LOUGHEED—May I make a suggestion that we take out clause 4 and rely upon section 164a.

Hon. Mr. BEIQUE—I draw the attention of the leader of the Government to the necessity of providing a special weight. I repeat, it would lead to a fraud if a dealer were permitted to sell any weight, in bags. A bag containing 97 or 98 pounds would unknowingly be accepted as containing 100 pounds. We should make the law more flexible—adopt any weight you please, but have a fixed weight in all cases. I would do that in the case of barrels, as well as in the case of boxes.

Hon. Mr. POWER—We have heretofore fixed the weight of a bag of potatoes, but I do not think we have provided for any smaller weight. There is no reason why a 50-pound bag should not be marked half a bag. You have fixed the weight of a bag by statute, and the weight of a half-bag is therefore fixed as a matter of course.

Hon. Mr. ROSS (Middleton)—I think this is bad legislation. The law is better the way it is; to adopt the gross weight—the weight of the contents and the bag—is by far the best method. One can readily see the inconvenience of having to dump the contents of the package and weigh it and then weigh the package to find out if the weight is right. It is better to weigh the two together. The purchaser would not lose anything, because the price of a bag would generally be more than the corresponding weight of the contents. I bought some alfalfa seed the other day, and they charged me 25 cents a pound for the seed and so much for the bag. It would have been better for me if the seed and the bag had been weighed together. It is a question whether one would win or lose by it, but there is no question of the inconvenience of having to empty a package in order to ascertain if the weight is right.

Hon. Mr. POWER—I quite agree with the hon. gentleman from Middleton.

Hon. Mr. ROSS (Middleton)—A few years ago Sir Thomas Lipton was caught under a clause similar to this. A package of tea was found to be short of weight by a fraction of an ounce, and he had to pay hundreds of pounds in consequence of it.

Hon. Mr. WATSON—I understand that the object of the Bill is to protect the purchaser. The man who puts up the package is responsible, and must put in full weight. I think Sir Thomas Lipton was very properly fined, if a package of his tea was short in weight. If a man buys a ton of feed he does not want to buy one-tenth of the weight in sacks. The proper thing to

put in the Act is the net weight of the article.

Hon. Mr. ROSS (Middleton)—How would you determine the weight? Weigh it?

Hon. Mr. WATSON—Yes. We ought to protect the public by giving them the actual quantity of the article they are buying.

Hon. Mr. ROSS (Middleton)—Very many articles which are full weight when packed shrink when kept in a dry climate, and the packer might be caught in that way.

Hon. Mr. LOUGHEED—More or less evaporation must necessarily go on in all packages that are stored. The weight may fluctuate according to the humidity or the dryness of the place of storage, and the effect of this legislation under conditions of that character should be taken into consideration.

Hon. Mr. BEIQUE—That would apply if the suggestion of the hon. member from Middleton were followed. It would not cover evaporation, and allowance should be made for that.

Hon. Mr. LOUGHEED—The only advantage of the gross weight is that if a package is subjected to those conditions the weight is ascertained at once by weighing the package with its contents.

Hon. Mr. BEIQUE—It might be as well not to legislate on the matter at all.

Hon. Mr. LOUGHEED—It has to be arbitrarily provided for.

Hon. Mr. YOUNG—With regard to the point raised, the variation of weight, it would be very unfair in a case where a packer put in full weight and the package has been stored for say a year in a dry place and it is found after that time not to be full weight. The weight should be the weight of the package at the time it was put up. I fancy if it could be proved that the packer put the full weight in the package he should not be responsible for any shrinkage.

Hon. Mr. WATSON—I should like to know what the custom is in the United States in regard to these packages, because I anticipate that we may have in the near future some considerable trade with the neighbouring country, and it would be well that our laws should be uniform with those of the neighbouring republic.

Hon. Mr. WATSON.

Hon. Mr. LOUGHEED—I think I said the other day—and it will apply to the situation which my hon. friend has outlined—that where a foreign export business is done with a particular country that business is done invariably in anticipation, and in fact with a knowledge, of what the conditions and laws of that country may be, to which the article is exported. Take, for instance, the case of a United States manufacturer who proposes to do business in Canada. He will acquaint himself with the provisions of the Canadian law, and manufacture accordingly. Packages are made up with that fact in view.

Hon. Mr. WATSON—We will anticipate that we are going to trade with a foreign country and we will frame our law to suit that country?

Hon. Mr. LOUGHEED—We do; if Canadian manufacturers propose shipping goods to Australia, or to any foreign country, they acquaint themselves with the laws of that particular country and observe them accordingly.

Hon. Mr. POWER—Before we part for the time being with clause 4 I understand the point made by the hon. gentleman from Middleton is this; that in the case of flour or grain, or feed, the article which is contained in a package is really not, for its weight, more valuable than the material in a bag, and consequently there is nobody much hurt if the gross weight is put in. Are you going on to clause 5 now?

Hon. Mr. LOUGHEED—Yes, then those proposed amendments shall stand.

Hon. Mr. BEIQUE—I understand that ection 2 of the Bill is being preserved?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BEIQUE: It seems to me that the words in line 3—'entire grain'—should be struck out, as liable to be abused by preparing feeds which would not be made altogether of the entire grain of the cereals mentioned. I think it should read, 'Made from wheat and barley, oats, Indian corn,' etc., whether made entirely of it or not.

Hon. Mr. LOUGHEED—We will have that considered.

Hon. Mr. POWER—Clause 5 provides, in paragraph (a) that every barrel or half-barrel of flour, and so on, shall be plainly marked

(a) with the initials of the Christian name and the surname at full length of the packer or

the person for whom such barrel or half-barrel is packed, and with the place of business of such packer or person; and

Now, as a rule, the packing is not done by individuals, but by incorporated companies or firms, which would not have any christian name or any surname. In order to emove the difficulty I would move this amendment:

After 'person' in line 20 insert the following words:—

'Or where such barrel or half-barrel is packed by or for a co-partnership or incorporated company with the firm name of such co-partnership or the corporate name of such company, and with the place of business of such co-partnership or company.'

Hon. Mr. LOUGHEED—We will hand that to the chairman.

Hon. Mr. YOUNG—That stands as a notice of motion.

Hon. Mr. LOUGHEED—I propose in paragraph B striking out the word 'quality,' and inserting the word 'brand' in lieu thereof. The amendment would read as follows:

'With the brand and weight of the flour or meal contained therein.'

In the trade now brands are accepted as denoting quality. Then paragraph B of 164-a, clause 6, I propose to amend, in order to be consistent with what we proposed in the early amendments. I propose to substitute what now is in the draft Bill with the following:

'With the brand and weight of the contents of the bag, sack or package.'

Hon. Mr. BOYER—Would that be net or gross?

Hon. Mr. LOUGHEED—It is the weight of the contents. Then that will be followed by two paragraphs reading as follows:

(c) The provisions of paragraph b, which is the paragraph we have just been discussing as to brand shall not apply to feed, but the composition of the feed in each containor shall be stated.

Hon. Mr. YOUNG—I can tell my hon. friend that he is making a contract that will take a Philadelphia lawyer to interpret when you come to the question of feed.

Hon. Mr. LOUGHEED—Those are all suggestions and I do not ask that they be passed to-day. They have been placed in my hands. The other paragraph reads as follows:

The foregoing provisions of this Act shall not apply when the articles mentioned therein are in the presence of the purchaser weighed into the containor in quantities not to exceed 200 pounds at any one time.

That is to cover the difficulty we discussed.

Hon. Mr. GORDON, from the committee, reported that they had made some progress with the Bill and asked leave to sit again.

BILLS INTRODUCED.

Bill 66, An Act respecting a Patent of the International Wood Distilling Company.

Bill 67, An Act to incorporate the Norfolk and Elgin Railway Company.—Hon. Mr. Ratz.

Bill 72, An Act respecting the Calgary and Fernie Railway Company.—Hon. Mr. DeVeber.

Bill 77, An Act to incorporate les Soeurs de la Charité de l'Hôpital Saint Antoine de le Pas.—Hon. Mr. Bolduc.

Bill 98, An Act to amend the Volunteer Bounty Act of 1908 and amending Acts—Hon. Mr. Lougheed.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

Wednesday, March 18, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

MOMENTUM GRADES ON NATIONAL TRANSCONTINENTAL RAILWAY.

INQUIRY.

Hon. Mr. McSWEENEY inquired:

What amount has been saved in the Transcontinental railway by adopting the momentum grades since the advent of the present Administration?

Hon. Mr. LOUGHEED—One hundred and sixty-two thousand dollars.

BILL INTRODUCED.

Bill (V), An Act for the relief of Lenore Power.—Hon. Mr. Derbyshire.

THIRD READINGS.

Bill (P), An Act for the relief of Ella Rose Morris.—Hon. Mr. Derbyshire.

Bill (Q), An Act for the relief of Alicia Hill.—Hon. Mr. Derbyshire.

HAMILTON DIVORCE CASE.

The Order of the Day being called:

Consideration of the fourth report of the Standing Committee on Divorce to whom was referred the petition of Andrew Lorne Hamilton, together with the evidence taken before the said committee.

The SPEAKER—A point of order has been raised which I am now prepared to decide. The motion now before the House came up in the usual course of our procedure, on the 11th day of this month. Objection was taken to it on the same day and a point of order was raised on the ground that its adoption would conflict with the rules of this House and especially with rule 147, which reads:

147. The petitioner and, if the respondent appears, the respondent and all the witnesses produced before the committee shall be examined upon oath.

It is alleged that, at this last trial before the committee, the respondent has not been examined under oath; and nothing in the evidence now before us, states that this formal obligation, imposed by our rules, has been complied with. Such being the case, would I be justified in ruling out of order the report of the Committee on Divorce in the Hamilton case? In other words, does the rule invoked in the present instance, apply to the report of the committee?

There is no doubt, in my mind, that the committee was obliged, in one way, at all events, to examine under oath, both the petitioner and the respondent, in order to ascertain, at least, if since last year, no collusion whatsoever had taken place between the litigant parties. That was not done and the case now comes before the Senate without that essential feature provided for by the rules which regulate the action of the committee in the hearing of the trial.

'Connivance at, or condonation of the adultery, or collusion in the proceedings for divorce, is always,' says rule 145, 'a sufficient ground for rejecting a Bill of divorce and shall be inquired into by the committee.'

Such is the obligation imposed upon the committee. But can the committee, for a reason or another, take the course which it has followed, and is its report now regularly before the House?

Rule 143 says:

After such hearing and inquiry, the committee shall report to the Senate, stating whether the requirements of these rules have been complied with in all material respects; and, if it shall have been then found that any such requirement has not been so complied with, stating in what respect there has been default, and also stating the conclusions arrived at and the action recommended by the committee.

In reading now the report made by the Committee on Divorce to the Senate on the Hamilton case, we find that the committee has precisely followed the course indicated by rule 143, just cited.

The report goes on to say:

'4. Upon your committee proceeding to hear and to inquire into the matters alleged in the present petition the petitioner and the respondent were respectively represented by counsel, who stated to your committee that they had no witnesses to examine other than those examined at the hearing and inquiry last session, and represented to your committee the desirability of avoiding the delay and expense of taking the evidence of those witnesses over again, and agreed that the matters alleged in the petition should be decided upon the evidence taken last session, as if taken this session.

'5. Your committee considered that such course was proper and expedient, and accordingly they submit herewith the evidence taken by the Committee on Divorce at the hearing and inquiry into the matters alleged in the petition presented at the last session of Parliament, with the exception of the paragraph numbered (7) of exhibit No. 7, which paragraph is not relevant to the present petition.'

In this part of the report we have the recital of all that took place before the committee and the candid admission stating what requirements have not been complied with on account of the agreement of the parties, and finally the formal declaration made by the committee that the course they followed was the proper and expedient one.

In all these particulars, the report complies strictly with the requirements of the rules which govern the committee. All those rules, from No. 143 to 152, both inclusive, have been framed by the Senate, and are imperative. If not followed by the committee, in any one respect, then it is the duty of the committee to report 'in what respect there has been default.' That is precisely what has been done in the present case, and the report now before this House presents itself just in the same way as any other report from any other committee, bringing to our attention the fact that certain rules have not been complied with and asking for the further action of the Senate.

Viewed in this light,—and many instances point out the correctness of such a procedure,—I am of the opinion that the

report of the Committee on Divorce,—though stating that certain requirements have not been complied with,—is still in order because it leaves to the Senate itself the power to adopt any further action, namely, to accept or to reject the conclusions of the committee or to return such report to the committee with instructions to complete what may be deficient in the evidence as presented to this House.

In other words, the proceedings in committee might be opened to discussion, but the report comes to us in the form provided for by our rules, and for that reason I am bound to declare that the point of order is not well taken.

Hon. Mr. KIRCHHOFFER moved the adoption of the report.

Hon. Mr. DAVIS—I should like to make a few remarks with reference to the unusual procedure we are asked to follow to-day. It is the first time I have known anything of the kind to be proposed in this House, and any one who will look up the records of the House of Lords, from which body we take our precedents in matters of this kind, he will fail to find any precedent for the course we are asked to pursue. We are placed in the position to-day of being called upon to judge ourselves. The year before last we rejected this petition. Last year we rejected it again. Some reason was furnished last year for bringing in such a report a second time; it was claimed that they had found some additional so-called evidence, which was submitted to the House. Notwithstanding that, after careful consideration, the report was rejected. This session no additional evidence was furnished. The committee, as I understand it, have not even gone to the trouble to publish the evidence again, but have used the old copies which were struck off last year; and without anything further they ask us to reverse our judgment of last year. I do not see how we can adopt this report, and retain our self-respect. If we did it would be, in my judgment, one of the strongest arguments that could be furnished for the establishment of divorce courts in this country. I have no doubt there has been a strong lobby put up in behalf of this report. Just imagine the jury being canvassed inside this Chamber and outside of it! Active members of the House of Commons have been walking through our corridors canvassing members on a proposition of this kind. If we are going to reverse the decision of last year simply because a canvass has been put up and without any good reason being shown why this House should change its mind, it appears to me that we are taking a course which we shall always regret. If any legitimate argument can be offered as a reason why we should reverse our judgment, I should like to hear it—but none has been offered. They simply hand us the evidence taken last year, on which the Senate gave its decision at that time, and ask us to reverse the judgment we rendered on that occasion. For my part I shall not do it, but shall vote against the adoption of the report.

Hon. Mr. BOYER — You said, Mr. Speaker, that rule 147 says that it is the duty of the Divorce Committee—for which I have a great deal of respect and admiration, particularly for the chairman, for it is about the only committee in the House that does a large amount of work every year, and for their work I must compliment them—to examine witnesses to find out whether any collusion has existed between the parties. Now, Sir, what evidence have we got? The committee say, 'By mutual consent.' Is that not collusion?

Hon. Mr. DAVIS—Sure.

Hon. Mr. BOYER—They have decided to eliminate from the evidence, paragraph No. 7. Well, what is paragraph No. 7? Can any of you hon. gentlemen tell me, without referring to last year's evidence, what was in paragraph No. 7? It had no more business to exist in last year's report than it has to be eliminated this year. Nobody knows what paragraph No. 7, eliminated by mutual consent, is, unless he refers to last year's evidence and finds out.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. BOYER—Then another reason for not acceding to the proposal of the chairman of the committee is the fact that here is a divorce that has been dragged before the Senate for the last three years, and by mutual consent the petitioner says: 'Here is this former wife of mine, that I have dragged before the courts of justice, not only in Quebec but throughout the country, and I have not since the offence—the pretended offence—was committed, one single piece of evidence to offer.'

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. BOYER—Here is a lady who has been thrown on her own resources, having had to emigrate to a foreign country to earn her daily bread.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. BOYER—And her husband, with the consent of the committee, comes before the Senate and says: 'I have not one single particle of evidence to offer against this lady since the evidence taken three years ago.' Last year we voted that the divorce should not be granted. I see a further reason why the Senate should carry out its action of last year, namely, that after having dragged this lady before every court in Quebec, and through the Senate, no evidence is offered; on the contrary, evidence that was relied upon the first year the divorce was brought before the Senate is eliminated from the docket, and it is admitted that it is irrelevant to the case. I think for this reason that the Senate should not misjudge itself.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. BOYER—We decided last year that we should not grant this divorce, and I see no reason why we should change our decision this year.

Hon. Mr. CLORAN—To my mind, this document now placed in the hands of the Senate is an insult and a disgrace, because in any court of justice in this Dominion, or in any part of the British Empire, a lawyer who would delve out of the vaults of the courthouse a musty, dust covered record, and come before the court and say: 'Here, Your Honour, you passed judgment twice upon this case, a year ago and last year, but I want you to reverse your judgment without any further evidence,'—a lawyer of that kind would be committed for contempt of court. It would be regarded as an insult to the judge. That is what the Divorce Committee is asking us to do. Are we a pack of incompetent fools rather than competent judges? We pass judgment on two different occasions on the contents of this document, and now the petitioner asks us to reverse that judgment. The committee should have ejected the petitioner from the room when he made such a request. I admire the wisdom of the attorney for the respondent, for when the petitioner made the proposal to rest the case on the evidence taken last year, he assented. They offered no evidence and he offered none. He deserves to be on the bench, and I hope he will be some day. The High Court of Justice of the Dominion of Canada gave judgment on this case on two consecutive occasions, and the respondent's counsel realized this. Surely this High Court of Justice will not stultify itself by reversing its decision, without any reason. The petitioner's counsel was not wise enough to understand the position the Senate would be placed in. What will the people of Canada think of the Senate if ,after twice giving judgment on this case, on the third occasion, on account of persistent, and the most devilish lobbying, we reverse our finding? If necessary I could give names and facts in regard to the lobbying. A most henious offence against the independence of Parliament has been committed in the corridors of the Senate for the purpose of putting this Bill through. We hear occasionally about the small esteem in which the Senate is now held, on account of our few adjournments, but the entire sentiment of the country will be down on us, and rightly so, if we undertake to undo to-day what we did yesterday and the day before. On the strength of this musty document which has been delved out of the vaults of the Parliament buildings for the third time, in order to defame the character of a woman, I am asked to place upon the mother of a family the stigma of shame, and to tell her children—after having twice declared that she was not guilty of the charges—that she is now guilty, and is nothing but a prostitute. How can hon. gentlemen vote for a proposition like that? Would hon. senators dare place the stigma of infamy upon their daughters and wives, after they had twice been honourably acquitted? A vote for this Bill means that Mrs. Hamilton, instead of being a good mother is nothing but a prostitute. There is absolutely no proof of that. Two years ago we had the evidence of an unscrupulous servant kept by the husband. I shall not use the word the hon. gentleman from New Brunswick did, but we all know what it means, when this servant furnishes the only evidence against the honour of this woman. The respondent has been in the corridors on her knees asking us to protect her children and not to give them the reputation of being brought up by a woman who was untrue to her marriage vow. She does not wish to marry again. She has been for the last twelve years working in the United States for an honest living, and since the commencement of these proceed-

ings there have been detectives on her track; she has been watched as a cat watches a mouse, and they have not been able to produce one word against her character or mode of living, while she was working as a trained nurse in the great metropolis of the United States, New York. She said to me the other day, 'Oh, I have daughters and sons, and I am proud of them. For God sake don't vote to make them dishonourable!' What more noble appeal could be made to men, and yet these hard-hearted lobbyings have been conducted even on the floor of the House. My vote has been sought by the most tremendous influences that could be brought against a man. I stand here as a protest against such interference with the independence of this judicial body. I ask hon. gentlemen in the name of all that is honest and just to vote against this motion. I dare any hon. gentleman to go in the corridors of the House and tell this woman she is a debauchee and not fit to be a mother. If hon. gentlemen have not the courage to do that, how can they do it here, where she cannot defend herself? Let hon. gentlemen vote according to the dictates of their consciences and their hearts, just the same as if the honour of their own daughters and wives were concerned. Alone, unprotected, she stands outside the bar of this House. Are we by our position under the constitution to throw this woman down, and to blacken the name of a mother who loves her children? No, we are not.

Hon. Mr. BEIQUE—I do not rise for the purpose of discussing this question on its merits. The hon. members of this House who belong to the Roman Catholic church are agreed, on account of the rules of their church, not to take part in voting on questions of this kind, and I rise for the purpose of entreating my colleagues of the same faith to abstain from voting on this case.

(Laughter, and cries of Oh, oh.)

Hon. Mr. DAVIS—They should resign then.

Hon. Mr. BEIQUE—I have a right to my own opinion, and just as much right to express it as hon. members who differ from me. In my judgment it is neither fair, nor proper that some members belonging to the Roman Catholic church should vote against this report unless we are allowed, on both sides, to take part in the division.

Hon. Mr. CLORAN—I object to that.

Hon. Mr. BEIQUE—I do not think it is fair to make it a practice to vote invariably against Bills of divorce. If we were to do a thing of that kind, it would be looked upon as unfair to this hon. House, and tantamount to revising the law and refusing to allow it to take its proper course. For that reason it is unfair for some hon. members of this House who may happen to see the evidence and appreciate it differently from other hon. members of this House to avail themselves of their absolute right to vote when they know that members belonging to their own faith are prevented by the rules of their church from voting the other way.

Hon. Mr. DAVIS—Will the hon. gentleman answer this question? For instance, suppose every judge in Canada held views similar to those expressed by my hon. friend, and supposing divorce cases were tried before them, how could they discharge their functions as judges in such case? How do Catholic judges act under such circumstances in the United States, where they try divorce cases every day?

Hon. Mr. BEIQUE—It is easy to answer the hon. member.

Hon. Mr. CLORAN—Not so easy.

Hon. Mr. BEIQUE—A judge is bound to administer the law; if he cannot do so he resigns. He has no right to excuse himself from passing judgment upon any case presented to him. He could be impeached. We as senators do not occupy that position.

Hon. Mr. CLORAN—Yes, we do; we are judges in divorce cases.

Hon. Mr. BEIQUE—I should like to have order preserved.

The SPEAKER: Order.

Hon. Mr. BEIQUE—I do not interrupt other hon. members, and I deny the right of other hon. members to interrupt me. Every one should have an opportunity to express his opinion, and I intend to express mine freely, whether it pleases or displeases some hon. members of this House. As members of this House we do not occupy the same position as judges on the bench; we can be permitted to abstain from voting; there is no rule of Parliament which makes it incumbent on us to give a vote. As to whether the case has been properly adjudicated upon, I would draw attention to the fact that the same Bills are presented here from session to session. The hon. member

from Victoria has himself presented a Bill on this very question of divorce, from session to session. After the Senate had rejected his first Bill and in the exercise of his rights he very properly presented it later because it is always open to any member of this House to try to persuade his colleague, whether on evidence or by reasoning, and to appeal to their better judgment from one session to another. During the same session a member cannot present a Bill for the second time, but from session to session he may present a Bill as many times as he pleases.

Hon. Mr. BELCOURT—I did not intend to speak on this question but as the point raised by the member from De Salaberry is one on which there is a good deal of misgiving, it is quite right and proper that we should put ourselves on record. I may say that I agree with him on this point—that so far as divorces are concerned we are in the position of judges. It is a well recognized principle, upon which all judges act, that if a judge has formed or expressed an opinion upon a case or has any prejudice against either of the parties, he has not only the right, but it is his duty to excuse himself, and to decline to sit upon the case. Now, we who belong to the Roman Catholic faith have conscientious objections or prejudices against granting divorces—scruples, at all events, though some call it prejudice,—and for that reason we are not competent to sit on those cases, and it is only right, fair, and natural, and it is only logical that since we are not competent we decline to sit upon those cases. I confess I had great difficulty in making up my mind on this subject. When I first had the honour of sitting in the other Chamber I was much disturbed over this matter. On two occasions I voted for the granting of divorces on the principle that, the law being there,—and the people who had applied for divorce in those two cases having themselves no religious or conscientious scruples, and not infringing any tenet of their church,—they had a right to have that law set in motion. Sitting as a judge, as we do over here, I felt it my duty to grant those divorces, the evidence being very strong. I was taken to task severely for doing so; my position was attacked; my reasons in support of it were questioned; and I was then and have been since very much disturbed as to what was the legal, logical, and conscientious position for me to take in the matter. After a good deal of hesitation, I have come to the conclusion that the position taken by my hon. friend from De Salaberry is a sound one; that in matters of divorce, having a prejudice, having scruples,—call them what you like—not being competent to occupy the position of an impartial and unprejudiced judge—not being in a position to weigh the evidence with an open mind, and without any preconceived ideas, altogether impartially, I think we should not sit and give an opinion on those cases. If we have no opinion, we should not vote; if we are not voting we should not induce, or try to induce other hon. members of this House from taking any position. Since we are judges we should do what a judge must do under such circumstances—not only abstain from giving a judgment, but abstain from giving an opinion. I believe entirely and thoroughly in the position taken by my hon. friend from De Salaberry, and in future I am going to follow that rule.

Hon. Mr. BOSTOCK—I cannot very well cast a vote upon this matter without putting my position before the House. As a member of the committee I unfortunately was not present when this question was considered. It is a very bad precedent for this House to establish—the precedent that they will reconsider these questions. This matter has been up before the committee, and the House, on two occasions, and they have come to a decision. Although a Bill can be brought in one session after another, if an hon. member desire to do so, still it is a serious matter for this House to take that stand in regard to the question of divorce. (Hear, hear.) We should be establishing a very wrong precedent if we were to vote in favour of putting this through to-day. I have not had the opportunity of discussing this with the members of the committee, but I felt that I ought to make these remarks in order to put my position clear before the House.

Hon. Mr. CHOQUETTE—The point raised by the hon. member from De Salaberry has opened the door to a question which will have to be settled sooner or later—whether we are appointed here as Catholics and Protestants; whether, in cases coming before us, we are to vote according to our religious convictions, or whether we are to vote, as judges on the bench, on the merits of the case. As a Catholic being against divorce, I would prefer to have a court for divorce established in the different provinces rather than to have the Senate deal

with it. (Hear, hear.) See the position we are in now. Taking the ground of my hon. friend from Ottawa—which, as a Catholic, I would say is quite correct—suppose we all refused to vote, as Catholics (and I believe the Anglicans also are opposed to divorce)—if we all say we are not going to vote, what will be the position of those who, by the constitution, have a right to come before this Supreme Court of Canada and ask for divorces? The present case is a special one, in which a judge of the Superior Court of Quebec has declared that the plaintiff has proven his case and a judgment was given in his favour in that province, according to the law of Quebec, and it separates the plaintiff from his wife as to bed and board, and upon the same evidence we have before us. The point of order has been taken that as no new evidence has been given, according to rules 143 and following, and 147, we have not the right to accept this report. You have decided, Mr. Speaker, that the report is correctly before us, and it is for us to adopt or reject it. In my opinion this report is two-fold. Clause 4 says:

4. Upon your committee proceeding to hear and to inquire into the matters alleged in the present petition the petitioner and the respondent were respectively represented by counsel who stated to your committee that they had no witnesses to examine other than those examined at the hearing and inquiry last session, and represented to your committee the desirability of avoiding the delay and expense of taking the evidence of those witnesses over again, as before a court of justice in this country.

The lawyers of both parties were before the committee—the committee to which we delegate our powers, and representing us—

—and agreed that the matters alleged in the petition should be decided upon the evidence taken last session, as if taken this session.

The report concludes in this way:

Herewith is submitted a draft, approved by the committee, of a Bill to that effect.

Well, that Bill is not before us, but the draft Bill will be submitted to us in due course after the report is adopted. One may perhaps say, 'If you adopt the report you adopt the Bill.' In the same way they may go so far as to say that everything in the report you approve. But under the circumstances it is not correct. The report is twofold; we have to decide whether in admitting the evidence as produced we are going to establish a precedent or whether we are going to oblige the committee to take all the evidence anew here. Supposing we brought from Quebec the evidence taken there, and both lawyers agreed to accept the same evidence in order to save cost, time and expenses, are we going to decide that this committee has no right to do that? If we reject the report we are going to blame the committee and say that it has no right to accept evidence or documents by consent? This committee is supposed to represent us who are a court of justice; a judge may delegate his power to the prothonotary or the clerk to take evidence, and it is for him to accept or reject it. In this case we have delegated our powers to a committee; the committee has made a report on certain facts; it has accepted the evidence which has already been taken; it brings this report before us and says: 'We submit our report and a draft of a Bill which you may pass.' I am not ready now to pass on the Bill; I am not ready to accept that draft Bill. When the Bill comes before us, then on the merits of the case, we will be able to decide, but at present I have decided to vote for the report—especially for the paragraphs 4 and 5—for I have not the Bill before me now, but I accept the report because the committee have properly, and within their jurisdiction and right, accepted evidence, and have decided not to go to the expense of taking the same evidence over again.

When the Bill comes before us on its merits it will be for the Senate to say whether the evidence is sufficient to justify passing it. Those who voted against it last year will then be in a position to say if there is evidence to warrant them in changing their votes this year. As far as I am personally concerned, I am qualifying my vote. I shall vote on this motion just because I wish to create a precedent in this court of justice, that a committee of the House has a right to use evidence already taken. If there is no evidence establishing collusion, the committee has a right to report the same evidence with their recommendation.

Hon. Mr. LEGRIS (in French)—I had no intention to say anything on the merits of the question, but I rise to express my surprise at the announcement made by the hon. member from De Salaberry, that members of this Chamber who belong to the Roman Catholic church should abstain from voting on this case, because their religious convictions and their prejudices lead them to oppose divorce under any circumstances. I am astonished at the position the hon. gentleman takes when

he claims that our religious opinions prevent us from exercising an independent judgment. I do not see why, because the Church of Rome is opposed to divorce—as are many other churches—that every member of the Senate is not free to judge any divorce case that may be presented to us. I know that my hon. friend is a very able lawyer, but I did not know that he was entitled to lecture those in this House who belong to the Roman Catholic community. For my part, I do not think I have been called upon to be a member of this Senate to act exclusively as a Catholic, but rather to judge questions submitted to me as a legislator, to the best of my capacity and judgment. If my hon. friend believes that he is not in a position to vote impartially on a divorce matter, he should not vote. That is his personal affair. I do not know, however, that the Church of Rome claims the right to control our judgment as senators in dealing with the measures that come before us. I never heard of it. Coming to the case that is now before this Senate, I see no reason to change the views I held last year. At that time, without any religious prejudice, but simply on a careful examination of the evidence, I decided that the report should not be adopted. The same evidence is now submitted to us, and I believe that it is less acceptable now even than it was last year. I have read the evidence once more this year and I find nothing in it to justify the granting of a divorce. I do not say this now because I am influenced by religious feeling or prejudice, but because, as a legislator, I feel the obligation upon me to vote upon the merits of the question. With great regret I cannot agree with the hon. gentlemen from De Salaberry and from Ottawa, and to my mind this case is still less justified this year than it was last session.

Hon. Mr. BEIQUE (in French)—I should like to say to the hon. gentleman that I was not speaking for him; I spoke only for those who share my own views.

Hon. Mr. POWER—I had intended not to say anything with regard to this question, but I regret that the speeches of the hon. gentleman from De Salaberry and the hon. gentleman from Ottawa seem to me to render it desirable that I should explain my position in the matter. I am disposed to agree with these hon. gentlemen in saying that in dealing with divorce cases, the members of this House are in the position of judges—or jurors if you please—and I can quite understand that if I, for instance were the judge of the court, say in my own province, which deals with divorce and matrimonial causes, if I were satisfied by the evidence that the applicant was entitled to a divorce, it would be my duty to decree that the petitioner was so entitled. I quite agree as to that point. In the past, however, senators who belong to the same church as I do, have as a rule refrained from voting or dividing the House in cases where there was no question as to the evidence and as to the claim, under our practice, of the applicant to obtain the divorce. But that is not so in the present case. This is the third time this case has come before us, and as has been pointed out by hon. gentlemen, this House as a whole on both previous occasions rejected the application of the petitioner. Even if my impression was that on the whole the petitioner was entitled to a divorce, these two previous decisions of the House would naturally shake my confidence in my own impression as to the merits. There is this other point which was raised to a certain extent by the decision of his Honour the Speaker. One of the very delicate questions that come before the Senate is the question of collusion. Every hon. gentleman feels that if there is any reason to suppose there is collusion, the divorce should not be granted. Now, what is the case before us? Two years ago the petitioner came before the House and his effort to obtain a divorce was strenuously resisted by the respondent. Last session it was the same way. He had the same evidence as now, but the respondent came before the committee and strenuously resisted the efforts of the petitioner to obtain a favourable report from the committee. Now, why has the change taken place this year? This session the respondent was represented by counsel, but there was no vigorous effort, apparently, to prevent a decision in favour of the petitioner.

Hon. Mr. ROSS—Did the hon. gentleman hear the hon. senator from Victoria Division say that the respondent was here, and canvassing very strongly?

Hon. Mr. POWER—I do not know what may have taken place about the corridors. The hon. gentleman from Victoria Division is not a member of the committee, and I am speaking of the evidence before us, and the report of the committee. I cannot

allow myself to be influenced by something that may have been said in the corridor. In the present case it seems to me there is a distinct probability that there has been collusion. I am not voting in this matter as a member of the Catholic church. I am voting as either a judge or juror—whichever way you please to put it—and I feel as I felt last year, that the petitioner's case has not been established in such a way as to justify me in voting in favour of the report.

Hon. Mr. McHUGH—The Senate is somewhat of a court, where people who seek divorces have to come from the greater part of Canada. This case was before this House twice. I admit that I do not generally take part in these matters of divorce, but the Chairman of the Divorce Committee is a very good authority on legal procedure, and I should like him to give us the information as to whether a court, after having twice decided upon the evidence taken, would grant a new trial, unless the person making the application for the new trial was able to state that he was going to introduce some new evidence? In this case we have nothing of that kind before us. Why should a new trial be granted without some intimation that there was some new evidence to be put in? We have nothing before us except the evidence which was turned down last year and the year before. I resent the insinuation that because senators are members of the Catholic Church they should throw out any report, where the evidence was clear. I feel strongly like giving my vote against this report now. I do not want to be bound, when these matters come up, by the principle laid down by the hon. gentleman from De Salaberry, that those of my faith have no right to take part in these cases. Dealing with applications for divorce is part of our senatorial duties, just as much as anything else that comes before us. We may be satisfied to leave it in the hands of those who are not prejudiced, but in this matter I am not guided by any prejudice of that kind, and I am trying to follow a judicial line.

Hon. Mr. DOUGLAS—I feel myself in a very peculiar position on this question. I was conscientious when I voted against this Bill on the two occasions that it was submitted by the committee; I believed that I was doing my duty as a member of this court. How a report could now be presented by the same committee calling upon me to reverse my judgment, I am at a loss to understand. If I vote at all, I feel that I must vote as I did two years ago and last year. I do not stand here and say that I was a hypocrite last year, and had no opinion then. Hon. members of this House who know anything of me personally know that I act according to an honest sincerity, wherever I am placed; that is my ambition in all cases. I appreciate the difficulty the committee is placed in; I give the members credit for all sincerity, such as I claim in the exercise of my personal judgment, but I do not see how this court can reverse a past decision without further evidence. If the committee had come before us with additional evidence which had been overlooked, it would be a different matter. If I were asked to give a decision I would say that this report should not be received but that it should be referred back to the committee to be more fully considered. In all sincerity and good faith, not pinning my opinion to any individual ideas of what the committee ought to do and what it ought not to do, but as one who has been accustomed to look at what is truth, justice, honesty and right, I cannot at this moment entertain the report of the committee as now presented. If there were any possibility of this House giving an order to this committee to withdraw the report and consider it more fully and report again, it would be a great relief to the minds of many hon. gentlemen. It seems only right that the committee should have more time to consider it, and we should have more time and a further investigation before saying that we were not wise in our previous decision. No man will convince me that I was not perfectly honest and straightforward when I voted on the previous occasions, and I cannot do anything else on the same evidence, if the motion is put to the House. I ask the committee to reconsider, as far as it is possible, and endeavour to get new light. I move that the report be referred back to the committee for further consideration.

Hon. Mr. BELCOURT—If I am not intruding my personal views unduly on the House, I should like to add one word to what I have said, and I am led to do so from what has fallen from the hon. gentlemen from Halifax and from Maskinonge. There has been, so far as I have been con-

cerned, a clear confusion of cause and effect with reference to me. My reason for taking the position which I intend to follow in the future, of not taking any part in the divorce matters, is not because I am a Roman Catholic. It is because of the strong prejudice and objection which I have conceived against divorce. It is because, in my opinion, the evils which result from divorce are far greater than the evils which result from the non-granting of divorce. In other words I think it is far better for the community at large that unhappy marriages, however unhappy they may be, should not be dissolved, rather than that divorce should be granted on more or less serious grounds. That is the position in which I have placed myself. I take that position because I do not feel myself in a frame of mind free from all prejudice; because I do not feel I can approach the consideration of evidence in a divorce case with the impartiality which is absolutely essential to the judge who wishes to do what is right and proper. My mind is not free—I cannot view the matter in the same light as for instance the hon. leader of the Government; I am going to look at that evidence with my prejudice and strong disinclination to grant divorce in any case. Now, how could any judge be expected to properly perform his functions with a mind of that kind? It is because I feel myself incompetent to express an impartial opinion on the question of divorce, that I abstain from voting, and not because I am a Catholic, although that may have had something to do with it. My early teachings may have helped to create the prejudice and disinclination, which exist in my mind.

Hon. Mr. CLORAN—I wish to compliment the hon. gentleman from Maskinonge on the admirable address he gave in the French language. I am only sorry that so many hon. gentlemen do not understand that language. He put the dots on the i's every time and crossed the t's. He puts the hon. gentleman from De Salaberry and the hon. gentleman from Grandville, and the hon. gentleman from Ottawa in their places, as far as the attitude of the Government is concerned, with regard to these questions. The hon. gentleman from Ottawa has just made a declaration which paralyses me. He admits he is not a competent judge. Hon. gentlemen know that I am no friend of applicants for divorce. I have fought divorce cases in the Senate for years, but never as a Catholic, never because of religious prejudice, or religious scruples. And I may say, speaking of the word scruple, I repudiate the word. We have no religious scruples on the question of divorce, and the Catholic who uses the word does not know the church's real doctrine. We have religious convictions but not scruples, and we have no prejudice; we have a decided conviction based on Christ's gospel. When the hon. member from Maskinonge explained the position of Catholics, and said that the explanation given by the hon. member from De Salaberry did not commend itself to his judgment, he was right. It does not commend itself to my judgment and I believe I am as good a Catholic as either of them. When I read the report of the Divorce Committee, I do not read it from a Catholic, but from a legal or judicial point of view, and I have never opposed any divorce which in my judgment was founded on satisfactory evidence. The only cases which I have opposed in the last eight or ten years, have been those which have not been properly sustained by evidence. I have opposed cases when I found that the evidence on which they were based, would not be accepted in any court of justice. I have gone further than most hon. members, and further than my own church would allow, in submitting and agitating a Bill which would prevent the marriage of the respondent in a divorce case. I had it before this House on two occasions, and on the second occasion it was defeated by only one vote. It is a fair proposition, that Parliament should prevent the guilty party in a divorce case from contracting a second marriage. We have no right to permit this under Divine or natural law, but under the civil law we permit it, in spite of the Almighty, and in spite of Christ's teachings.

I have not discussed the merits of this case, or said one word against the petitioner. I am simply defending the honour of a mother. Let us refer back this report to the committee, and get more evidence. If they bring this half-breed witness again —the woman on whose evidence they want to cast a mother out of society—I shall be in a position to show that she is one of the worse creatures that ever left Winnipeg, or came to Quebec. I shall not forecast the evidence, but let the case be re-opened and we will have some evidence to show what sort of a woman this half-breed is. The petitioner has no new evidence against the mother of his children; if he had it would have been produced. If, when the report

is referred back to the committee, new evidence is furnished establishing the guilt of the respondent, I shall be the first to stand up in this Chamber and denounce her, and have her put where she belongs. But in the absence of additional evidence I should not be asked, as an honest man, to reverse the judgment I gave last year and the year before, on this petition. What right have the lobbyists to come in here and ask this House to do a thing which we would be ashamed to do in our private homes, and in our private business? Let it be understood that when this Bill is referred back to committee full light will be thrown upon both sides of the case.

Hon. Mr. BOYER—I have listened with a great deal of interest to the declaration of principle that we, as Roman Catholics, have no business to interfere with divorce. Why this great declaration of principle should affect the evidence furnished in the case is something which I am at a loss to understand. I have been an hon. member of this House four sessions, and the hon. gentleman who has made the declaration has been a senator for ten years, yet never before has he had occasion to make this declaration. I must express my astonishment at the position he has taken. I met this same declaration on my way to Ottawa. On the train I was canvassed by a perfect stranger, who told me that as a Roman Catholic I had no business to vote for or against a divorce Bill, that I was prejudiced. And here to-day we get this same declaration from the hon. gentleman from DeSalaberry. Who invented it I do not know. It was never necessary for me when I joined the Senate, to be told that as a Roman Catholic I should not intervene in a divorce case. If, as a Roman Catholic, I should not interfere in divorce, since we are in Lent, let us all resolve as Roman Catholics that the evidence in divorce cases shall not be sent to Catholics. If divorce is so shocking to Catholics, let us take that good resolve. We have heard this declaration, and I sincerely trust that it will not apply only to our votes, but to the evidence.

Hon. Mr. BELCOURT—I never read it.

Hon. Mr. CLORAN—That is the reason why the hon. gentleman cannot judge.

Hon. Mr. BOYER—I never heard the declaration before, and I trust I shall never hear it in the future.

Hon. Mr. DAVIS—As seconder of the amendment asking to have this matter referred back to the committee, I should like to say a few words. I always like to keep within the rules of the House, and I never like to speak a second time on the same motion; I am speaking now on the amendment.

Some of my friends made two long speeches on the matter, without any right to do it at all. While quite willing to bow to the ruling Mr. Speaker gave this afternoon, I am of my own opinion still, and I have an idea that we should have a little more light on this question. It is well known to myself, and to a number of hon. members of this House, that through the corridors and about the House it is reported that this year there has been some collusion between the two parties to this divorce. It is common talk outside that they have arrived at some arrangement. The lawyers, one on each side, have lined up the witnesses, and agreed that they will have the same evidence this year as last. What for? Because they may be obliged to put the petitioner in the box, and they fear the evidence may be drawn out of him, that there was some collusion. They do not want to do that; they want—to use a common expression—to slip one over on the Senate. According to the rules of this Senate, if there is anything like collusion, we cannot grant a divorce. Hence I am strongly of opinion that there may be something in this rumour of collusion, and the report should be referred back to the committee. The two parties being right here, it would not involve much expense to put the petitioner and the respondent into the box, and examine them to find out if it is true that they have arranged, between themselves and the lawyers in the case, that the case should go by the board at this meeting of the Senate. The vacant seats that we see here to-day while the Senate is discussing this question, may be taken as some evidence in this matter. There has been an enormous lot of canvassing; one hon. gentleman has told the House of being lobbied by a perfect stranger who told him that according to his conscience he could not vote. It is very strange that an hon. member should be stopped on a railway train between here and Montreal, and lobbied in that manner. We know that the corridors here are fairly alive with canvassers, and some gentlemen —who might very well have waited until the matter went into the other House before they started their lobbying—are going up and down the corridors of this House.

When every other system failed, they have been going around making pairs, of people who voted last year. We want to know why it is that there has been such a persistent lobbying in order to get this House to reverse its action of last year. I think we have a right to look into the matter, and that this should be referred back to the committee, and both parties to the divorce put in the box. We should find out then, whether there is something in this lobbying, and something in this attempt at collusion. It would be fairer to deal with it that way, than to pass on old musty evidence taken two years ago. In reference to the new arguments we heard to-day, I may say that since I have sat in this House for ten years, the divorce committee has been sitting every year, and we have been passing divorce Bills, yet the question of a Roman Catholic not voting never arose until on this occasion. Why is this? Why was this not discovered in the ten and in the twenty years before? There is something very strange about it. We know that the hon. member from De Salaberry is a great splitter of hairs; he can split a hair in two and then split them again, but this is the first time I ever heard him saying that because a man was a Roman Catholic he cannot take part in the affairs of the State; for that is what his argument means if it means anything. How would the business of the United States be carried on if that doctrine had any effect? In the United States they have divorce courts presided over by Roman Catholic judges. The hon. member for De Salaberry knew what the duties of the Senate were when he accepted his commission; he knew that we had a divorce committee, and that he might be called upon to serve on it; he knew that we had divorce cases coming before the Senate and that he would be called upon to decide, one way or the other, upon the reports—then why did he and the hon. member for Ottawa accept seats in this House? If they cannot perform the labours required of them they should hand in their resignations and not try to hold seats in this House. I find that my hon. friend from Ottawa voted against this Bill last year; his religious convictions apparently did not bother him at all at that time; he did not take to the woods then. But lo, something has come over the spirit of their dreams on this occasion! They have discovered that they have something called convictions that will preclude them from taking part in the affairs of this House. I do not wish to reflect on the committee at all, I acknowledge that it is not a pleasant duty that committee has to perform, I would not like a seat on it myself, nor would a number of other hon. members—but when hon. members are elected on that committee we expect them to bring in something of an intelligent character in the way of a report. They must have known, and they did know that their report was based on the same evidence that they submitted a year ago, and I shall go so far as to say that it is a reflection on this House by that committee. The Divorce Committee is a creation of this House, which passed on that measure last year, and now their own creation comes back and shoves up the same report that the House turned down last year. I am strongly inclined to believe that this act is a reflection by the committee on the intelligence of this House; it is practically saying that this House did not know what it was doing last year, and that they would put it up to us again. It has been pointed out by some hon. gentlemen here, that the respondent has, for the last three years or more, been earning her own living, and that she has been hunted from pillar to post by detectives. If she was not living a good life they would be able to produce some evidence against her. If all the energy, not to speak of other methods, that has been expended in lobbying on this case—on the trains, in this House, and everywhere else—had been spent in trying to get some new evidence, perhaps some evidence could have been produced. If, after all that energy, new evidence could not be produced, I say that the petitioner should not be granted a divorce. Last year I voted on the evidence submitted at that time. I held that up to a certain point there was a certain amount of evidence, but that there was an arrangement between the parties in Toronto which wiped it off the slate. There has not been one single thing that has been proven against this woman except by this half-breed witness, who is a servant girl swearing against her mistress. It may be asked what motive this girl would have for doing that; but I will point out, as was done last year, that evidently she was a little too familiar with the master of the House, and for that reason she wanted to blacken the character of her mistress. We have that in this so-called evidence that has been handed to this House; it has been proven in the evidence that the petitioner

occupied the same stateroom with this star witness on the whole way from Portage la Prairie to Toronto. Surely that is motive enough for this woman to want to come forward and blacken the character of her mistress, because she, herself had a longing to possess this gentleman. He says that it was because he had his children there that he went into the stateroom with this woman; but it is well known that it was not a matter of economy, because the bank which employs him pays his moving expenses. If he had taken a berth in the body of the car he could have handed in the voucher to the bank, and the bank would have paid for it. He was not so anxious about his children when, according to his own evidence he spent a whole day in the smoking room, and did not go into the stateroom with his beautiful star witness until the evening. Then he comes and asks this Senate to believe that witness and to grant him a divorce from his wife on that evidence alone. Last year the Senate rightly refused to do so. The petitioner had an opportunity to go and look for more evidence, but apparently, although he has been looking for it, he cannot get any evidence, and his star witness is still here. I have an idea that if the star witness had been examined again this year, with a proper cross-examination, we would have got evidence out of her. The lawyers are not justified in saying that their evidence would be the same this year as last. How do they know what the witness is going to say on cross-examination? I think we ought to investigate this whole matter of collusion, and we certainly ought to have the evidence of both parties, as to what has been done.

Hon. Mr. CHOQUETTE—I regret that the question of religion has been brought prominently before the House on this question. I regret also to hear hon. members of this House admitting that they have been canvassed. I cannot see how hon. members of this House can be canvassed. Nobody has approached me, or seen me, and I am free to give my own opinion as I wish, but really regret that people outside of this House had the audacity to come and speak to hon. members upon this question. I am acting as a judge to give justice according to the case as put before me. At the present moment we are face to face with the case which has been submitted to the court, we have to decide on it, and the sooner we decide and get rid of this case the better it will be for all concerned. There is an amendment to the report. When a case is, as we say in Quebec 'en délibéré' and the parties wish to reopen the case, the first thing they have to do is to make a petition, supported by affidavit, saying that they have some new evidence, and giving the names of witnesses they wish to be heard. In this case there is nothing of the kind. Both parties are satisfied with the case, both seem to be ready to submit the case to the judges; and I do not see why we should send it back to the committee without producing some evidence that there are some new witnesses to be heard. Hence I do not see why we are not ready to adopt this report and go on with the case. I have not, so far, discussed the merits of the case. In due time, when the Bill is produced we will decide on its merits, but for the present I am opposed to sending the report back to the committee; the committee will have nothing to do but to return the report saying that they have no names of new witnesses given to them and no new evidence to be produced.

The House divided on the amendment, which was rejected on the following vote:

CONTENTS.

Hon. Messieurs.

Poirier,	DeVeber,
Legris,	Young,
Power,	Watson,
Bostock,	O'Rielly,
Coffey,	Beith,
Douglas,	Talbot,
Davis,	Cloran and
Roche,	Boyer—17.
Farrell,	

NON-CONTENTS.

Hon. Messieurs.

Lougheed,	MacLaren,
Kirchhoffer,	Taylor,
Mitchell,	Pope,
Bowell	McKay (Cape Breton),
(Sir Mackenzie),	Ross (Moosejaw),
Thorne,	Frost,
Corby,	Kerr,
Baird,	Edwards,
Ross (Middleton),	Choquette and
Daniel,	DeBoucherville—19.

Hon. Mr. POWER—I wish to say that I voted through inadvertence. I should not have voted, because I had paired with Hon. Mr. Curry.

The House divided on the motion to adopt the report, which was rejected on the following division:

CONTENTS.

Hon. Messieurs.

Lougheed,	MacLaren,
Kirchhoffer,	Taylor,

Mitchell,	Pope,
Bowell,	McKay (Cape Breton),
Thorne,	Ross (Moose Jaw),
Corby,	Frost,
Baird,	Kerr,
Ross (Middleton),	Edwards and
Daniel,	Choquette—18.

Hon. Mr. De BOUCHERVILLE (in French)—What is the motion before the House ?

The SPEAKER (in French)—To adopt the report of the committee.

Hon. Mr. De BOUCHERVILLE—What is the report ?

The SPEAKER—To grant the divorce.

Hon. Mr. CHOQUETTE—I object. There are two questions in the report and as I said a moment ago I just voted to establish a precedent and not for the granting of a divorce. The Bill is not before us.

NON-CONTENTS.

Hon. Messieurs.

The Speaker,	DeVeber,
Poirier,	Young,
Legris,	Watson,
Bostock,	O'Rielly,
Coffey,	Beith,
Douglas,	Talbot,
Davis,	DeBoucherville,
Roche,	Cloran and
Farrell,	Boyer—18.

The CLERK—The vote is as follows: Contents, 19; non-contents, 18.

Hon. Mr. WATSON—I think the vote is 18 to 18. I checked them carefully, and I would like to have the names read.

The CLERK—The vote is 18 to 18. There is no number 10.

The SPEAKER—Then the motion is lost.

CRIMINAL CODE AMENDMENT BILL.

SECOND READING POSTPONED.

The Order of the Day being called:

Resuming the adjourned debate on the motion for the second reading Bill (d) An Act to amend the Criminal Code.

Hon. Mr. CLORAN—I understand the junior senator from Halifax is in deep affliction at the present moment, one of his daughters having died, and I do not think it would be proper to proceed with this discussion now, especially as the debate was adjourned in view of his speech delivered last week. With the leave of the House I move that the order be discharged and placed on the Orders for Wednesday next.

The motion was agreed to.

SECOND READINGS.

Bill (R), An Act respecting a Patent of John Roger Arnoldi.—Hon. Mr. Kerr.

Bill (S), An Act for the relief of Eliza Jane McLaughlin.—Hon. Mr. Talbot.

INTERNATIONAL BOUNDARY WATERS ACT AMENDMENT BILL.

The House resolved itself into a Committee of the Whole on:

Bill (90) An Act to amend an Act relating to the establishment and expenses of the International Joint Commission under the Waterways Treaty of January 11, 1909.

(In the Committee.)

On the first clause:

Hon. Mr. BOSTOCK—The hon. gentleman was asked, when the Bill was up for the second reading, to see what had been done by this commission.

Hon. Mr. LOUGHEED—They have been engaged in making an inquiry into the boundary waters between the United States and Canada, and adjusting what differences could be adjusted between the two countries. A Blue Book has been issued reporting what the commission has done and is doing. That book is available to any one who chooses to go through it.

Hon. Mr. POWER—The suggestion I had the honour to make when we were dealing with this Bill before had some merit in it. I wish to direct the attention of the leader of the Government to the fact that after the change of Government in 1911, the present Government introduced a Bill which provided that the Under Secretary for External Affairs should be attached to the office of the Premier, and naturally his office should be somewhere where it would be easily accessible from the office of the leader of the Government. I venture to suggest now, that, as a matter of practical business, steps should be taken to bring about that desirable result. I am not speaking on behalf of any person, but in the interest of the transaction of public business. When distinguished gentlemen come here from abroad, they are supposed to be put in communication with the Under Secretary for External Affairs; further, he is supposed to have opportunities to be instructed by the First Minister. Located where his office is, down on Bank street, he cannot very well have ready communication with the leader of the Government, and it is not really consistent with the dignity of this country that distinguished strangers should be sent

down to such a place as that for the purpose of transacting business. I shall not charge anything for these suggestions.

Hon. Mr. LOUGHEED—We accept it at that price.

The clause was adopted.

On the second clause:

Hon. Mr. LOUGHEED—This is to permit increasing the salary of the secretary of the commission to $4,000 if considered desirable.

Hon. Mr. POWER—I suppose he is a good Conservative.

The clause was adopted.

On the third clause:

Hon. Mr. LOUGHEED—Under the present Act the expenditure for clerical work is limited to $3,000. It has been found from the experience of the commission that this is not sufficiently large and it has been proposed that the maximum amount shall be fixed at $6,000.

Hon. Mr. POWER—That is for general clerical assistance?

Hon. Mr. LOUGHEED—Yes.

The clause was adopted.

Hon. Mr. TAYLOR, from the committee, reported the Bill without amendments.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

Thursday, March 19, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

A CORRECTION.

Hon. Mr. DeBOUCHERVILLE—I observe that my name does not appear in the report of yesterday's debate in the vote taken on the Hamilton divorce case. I voted against the divorce.

The SPEAKER—I will see that the report of the Debates is corrected, and that the hon. gentleman's name is added; and I hope the votes and proceedings will also contain the names.

THE HAMILTON DIVORCE CASE.

MOTION FOR RECONSIDERATION POSTPONED.

The Order of the Day being called:

By the Hon. Mr. KIRCHHOFFER:

March 18.—That he will move that the proceeding had to-day, on the 4th report of the Standing Committtee on Divorce be reconsidered for the purpose of rescinding the same.

Hon. Mr. KIRCHHOFFER—I move that this Order be discharged and placed on the Orders of the Day for Tuesday next.

Hon. Mr. DAVIS—Will the hon. gentleman make it Wednesday?

Hon. Mr. KIRCHHOFFER—With the greatest pleasure.

Hon. Mr. CLORAN—Will the hon. gentleman be able to give us any reason why he should ask for a reconsideration of this matter after the Senate has passed on it three times?

Hon. Mr. DAVIS—He will give the reason next week.

Hon. Mr. CLORAN—That will be rather late. If we are to have persecution I suppose we must stand it.

BILLS INTRODUCED.

Bill (W), An Act for the relief of Walter James Liscombe.—Hon. Mr. Derbyshire.

Bill (X), An Act for the relief of Ethel Cora Robinson.—Hon. Mr. Derbyshire.

Bill (Y), An Act for the relief of George Fullerton Forsythe.—Hon. Mr. Talbot.

Bill (Z), An Act respecting the Canadian Northern Railway Company.—Hon. Mr. Watson.

MINISTER OF RAILWAYS IN ENGLAND.

QUESTION OF PRIVILEGE.

Hon. Mr. CHOQUETTE—I should like to call the attention of the Government to the following despatch, which appears under big headlines in the Daily Mail of yesterday:

Presented Sword to Sir E. Carson—Hon. Frank Cochrane present at Anti-Home Rule Gathering.

London, March 16.—The Honourable Frank Cochrane, Canadian Minister of Railways, was among a hundred hosts who paid a remarkable personal tribute to Sir Edward Carson as the Ulster leader at a demonstration dinner at the Ritz hotel last night.

There were no speeches and, but three toasts, namely, 'the King,' 'Sir Edward Carson,' and 'no Home Rule.'

The surprise of the evening was the presentation to Sir Edward Carson of an infantry fighting sword with a silver scabbard and a basket hilt, and a beautifully illuminated book emblazoned with the arms of Ulster and a red hand.

On the title page were the words: 'Presented to Edward by friends in Ulster in the sure confidence that God will defend the right.'

Though not an Irishman, as a Frenchman I have a strong feeling for the Irish people, particularly when they are fighting for Home Rule, and I am surprised to see one of the prominent ministers of this Government joining a demonstration against Home Rule—especially when the minister left his sick bed to go there. He is a sick man, or supposed to be a sick man, and he must have very strong feelings against Home Rule when he joins in such a demonstration. I should like to know if the minister in the course he has taken represents the Government, and if the Government is not only against Home Rule, but is willing to take a hand in the fight against the empire. We in Canada are not more loyal than necessary, and are not willing, without consulting the people, to contribute to the navy, but we respect the constitution; and I am surprised that one of our ministers should leave his work in this country, cross the ocean, and join the man who is ready to fight the empire, and against the soldiers of the King; the man who would disrupt the whole empire. What would the Government say if, to-morrow, some people from Quebec, or any other province of the Dominion, should not only vote against some measure, say the Naval Bill, but be prepared to disobey the law, and engage in——

Hon. Mr. CASGRAIN—Open revolution.

Hon. Mr. CHOQUETTE—Open revolution. We have seen what became of public men who, for the sake of truth, fought men who, for the sake of justice and liberty, fought for their own people and their rights; they have been exiled and hanged. It appears however that the law is not the same on the other side. I am especially sorry to see a minister of this Government, who left this country sick, go over there, and make us sick by his conduct. I should like to know what the Government thinks of the matter, and if it approves of the minister's action.

Hon. Mr. LOUGHEED—The Government has no official knowledge of the movements of the Minister of Railways while in pursuit of health. As to the loyalty to the empire of the Minister of Railways—the Government have the fullest confidence that the loyalty of the Minister of Railways will be equal to that of the hon. gentleman from Grandville.

Hon. Mr. CHOQUETTE—I hope it is.

Hon. Mr. CLORAN—I do not think the answer of the leader of the Government is up to the mark. The Government may have absolute confidence in the gentleman called Mr. Frank Cochrane, Minister of Railways, but we have not, and the country has not.

Hon. Mr. KIRCHHOFFER—That is too bad.

Hon. Mr. CLORAN—It is not too bad, for the British Empire to-day has not the confidence in Frank Cochrane, who leaves this country seeking health and goes over and joins a rebellious gathering against the British Empire. What has the Government to say to that? He should get a message from the leader of this Government.

Hon. Mr. TAYLOR—I rise to a point of order. What question is before the Chair?

Hon. Mr. CLORAN—Nothing; there is the answer of the leader of the Government.

The SPEAKER—There is no question before the Chair.

Hon. Mr. CLORAN—Owing to the importance of the subject, and bowing to the decision of the Chair, which is correct—there is no special motion before the House—I now move the adjournment of the House, seconded by the Hon.—by all the senators.

Hon. Mr. LOUGHEED—I rise to a point of order; there is nothing before the Chair.

The SPEAKER—The hon. member is moving a motion.

Hon. Mr. LOUGHEED—My hon. friend cannot move the adjournment of the House, with the intention of resuming his speech, as he has spoken on the subject already.

Hon. Mr. CLORAN—No, I have not—not on the adjournment; that is where you are mistaken.

Hon. Mr. LOUGHEED—I rise to a point of order; the hon. gentleman has spoken on the subject, and he cannot now move the adjournment of the House and resume the discussion.

The SPEAKER—The attention of the Government has been called by the hon. member from Grandville to a question which was answered by the hon. the leader of this House. Then the hon. gentleman from Victoria Division rose and said a few words. He was distinctly out of order; there was nothing before the Chair. If the hon. member from Victoria Division wants to put himself in order he must make a motion for the adjournment of the House, but that motion, according to our rules, must be for an urgent question.

Hon. M. CLORAN—That was just what I was going to point out. If this is not a matter of urgency—to protect the empire against the attack of a Canadian minister—I would like to know what is urgent.

The SPEAKER—I shall not take on myself to define the word 'urgency'; I fear too much the results of a division on any definition I could give, especially in this House; but I leave it to the House to decide if the hon. member is within the rules.

Hon. Mr. CLORAN—My motion is now before the House; I move that the House do adjourn, seconded by the Hon. Senator Boyer.

Hon. Mr. KERR—I understand the hon. gentleman has indicated the nature of the motion he intends to move. In order to keep himself within the rules, he has explained to this House that he is not out of order, because he intends to move a motion; then he explained what that motion was. A gentleman who proposes to move the adjournment of the House is entitled to speak to the motion, but after the motion is put to the House he may not.

The SPEAKER—Rule 25 says: 'that no notice is required for any of the following motions:

(g) for the adjournment of the Senate for the purpose of bringing up a question of urgent public importance (which the mover shall state on rising to speak) before the House proceeds to the orders of the day.

I maintain that when the hon. gentleman rose the first time to speak he was not in order.

Hon. Mr. CASGRAIN—That is right.

The SPEAKER—If he wants to put himself in order he must make a motion, and the motion he must make is one for the adjournment of the Senate; but he must make the motion for adjournment for the purpose of bringing up a question of urgent public importance. This the mover must state on rising to speak. Now the hon. gentleman moves that the House do now adjourn, seconded by the Hon. Mr. Boyer.

Hon. Mr. LOUGHEED—I call for the yeas and nays on the question whether the subject is one of urgent public importance.

The SPEAKER—I cannot ask the House to divide on that motion until the hon. gentleman has finished his speech. He has the floor; I cannot take away the floor from him now.

Hon. Mr. CLORAN—We have not got the gag here yet.

Hon. Mr. LOUGHEED—I rise to a point of order; the hon. gentleman from Victoria Division, before he moved the adjournment of the House, had proceeded with his speech. He cannot in proceeding with the speech move the adjournment of the House and then resume the speech. I raised that point of order, which has not been passed upon.

Hon. Mr. CLORAN—I did not take my seat. Somebody on the other side raised a point of order, and I simply sat down to hear the point of order. When it was decided that there was nothing in it, I rose and made my motion.

Hon. Mr. LOUGHEED—I ask the ruling of the Chair whether the hon. gentleman had not spoken on the subject before he moved the adjournment of the House, and whether he is in order in resuming his speech after making the motion.

The SPEAKER: When the hon. gentleman rose there was nothing before the Chair. He was not in order.

Hon. Mr. LOUGHEED—He had spoken on the question he is now discussing.

The SPEAKER—I want that point discussed.

Hon. Mr. BEIQUE—I understand the point of order raised by the hon. leader of the Government is that it is open to any hon. member to move the adjournment of the House, and to take the occasion of that motion to make a speech, but that he is to make his remarks before the motion.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. BEIQUE—I understand that is the point the hon. leader of the Government has raised.

The SPEAKER—In parliamentary procedure anybody may rise, when the Orders of the Day are called, and state that it is his intention to wind up his remarks with a motion. That is the parliamentary rule.

Hon. Mr. LOUGHEED—He has not done that though.

Hon. Mr. McKAY (Cape Breton)—The hon. member from Victoria Division, following the hon. member from Grandville, started to make a speech, and spoke for a couple of minutes forcibly. He was called to order.

Hon. Mr. CLORAN—No, I object. I was not called to order.

Hon. Mr. McKAY (Cape Breton)—The point raised by the leader of the Government was that the hon. member had spoken on this question, and that now he was out of order and could not make a motion.

The SPEAKER—In the parliamentary practice when a motion is put, and a man speaks on that motion, he is not obliged to move an amendment at the beginning of his remarks, but he may at the end of his speech. In this case there was no motion before the House. The hon. member from Grandville called the attention of the House to a certain subject. I cannot say that he was in order, but at all events he was following the practice which prevails in this House. He asked a question which the leader of the Government answered. Then the hon. gentleman from Victoria Division rose and referred to the remarks made by the leader of the Government. He was called to order: there was nothing before the Chair. That was the point of order taken, and, as there was nothing before the Chair, my duty was to tell the hon. gentleman so, and he took his seat. He rose afterwards and made a motion that the House do now adjourn.

Hon. Mr. BEIQUE—I am merely asking for information. I want to know how the point of order is raised. Is it not that after a motion has been put, the hon. gentleman is debarred from continuing his remarks?

The SPEAKER—The parliamentary practice is that he may make his motion either at the beginning or at the end of his remarks.

Hon. Mr. CLORAN—This discussion puts me in mind of what is now going on in Ulster against the British Empire. Right and justice will prevail there in the long run just as it has prevailed here. Our Minister of Railways left here ostensibly because he was sick—but he could not be very sick when he attended a banquet when a sword was given to a man, to fight the empire. That sword will never be drawn because I do not suppose the man to whom it has been given has the heart to draw it. He can entice others to hide in the hedges and shoot. If Mr. Cochrane had been in St. Lawrence Hall last Tuesday night and heard Mr. Redmond delivering his address on Home Rule, he would not have given his countenance to the presentation of a sword to Sir Edward Carson to fight the British Empire. Mr. Redmond told his audience that Ulster, for which Bonar Law and Carson are putting spokes in the imperial wheel, is not unanimous against Home Rule. On the contrary a majority of the people of Ulster favour Home Rule. Out of 33 constituencies in Ulster, 17 returned Nationalists and 16, by very small majorities, were elected to oppose the present Government in England. Now why all this fuss; why all these threats of disintegration? Why all these threats against one of the noblest Governments that has controlled the destinies of the British Empire, during the last 50 years? Why try to upset a government that is true to the King, true to the empire, and true to the Dominions over the seas? Why allow a Bonar Law and a Carson to be aided by a Minister of the Canadian Government in carrying out their designs? Mr. Cochrane left his office and his place in Parliament on the pretence that his health was poor, and that he was going to the Mediterranean to secure better health. Well he did not go as far as the Mediterranean; he stopped at London, and to secure what? To assist at a function where a sword was presented to Sir Edward Carson. Who is Carson, after all, and what does he represent in the empire? He simply represents a body of students at Trinity University, Dublin, and is not a representative of the people in any way. He is fighting the British Empire, and trying to keep Ulster at his back, but this he cannot do because Ulster is behind Redmond. It vexes the population of this country, all nationalities and creeds, to find a Cana-

dian minister join hands with a man of that kind—and over a sword. The leader of the Government in this House innocently tells us the Government has no official information. The Government has as much information now as the entire press of the country. They had it yesterday in the House of Commons, and they have it here. I was going to say that the answer of the hon. leader to the question of the hon. gentleman from Grandville, that the Government had no information on the subject, was childish. There are seven or eight million people in this Dominion, and they want a more definite answer. They want a declaration that the Government is not in sympathy with the position assumed by Mr. Cochrane in London; that the action of Mr. Cochrane attending the sword gathering in London has not the approval of the Government; that his action is distinctly repudiated—or else we want to know whether the Government is in league with Mr. Cochrane in this movement. The Government cannot hide under a cloak of that description; the veil is not thick enough to cover a crime of that kind; and so I hold that the action of Mr. Cochrane, under the circumstances, is a crime.

Hon. Mr. CASGRAIN—Treason.

Hon. Mr. CLORAN—A case of treason, as well said by the hon. senator.

Hon. Mr. DAVIS—High treason.

Hon. Mr. CLORAN—If the Government has not the information, it is their duty to cable their representative in London and ascertain from the records if Mr. Cochrane attended that meeting; it is their duty to bring the answer back to Parliament, and to say that Mr. Cochrane attended that meeting against the wishes of the Government, against the best interests of Canada, and against the party interests. And if Mr. Cochrane does not apologize and give explanation, then it is the duty of the leader of the Government to call for his resignation. We cannot, as a Dominion, oppose the British Government and His Majesty in their endeavour to carry legislation through the British Parliament, and that is what the attitude of Mr. Cochrane actually means. This matter is more serious than the hon. leader of the Government seems to think. The people of this country will wake up later on, from concession to concession, county to county, province to province—all over the Dominion—and we of all nationalities and creeds will ask why the Government allows one of its foremost ministers to attend a rebellious gathering against the British Government. The Government must understand that that is the way we view the matter, and a flimsy answer will not satisfy us. We will find out later whether the Government has communicated with its agent in London, or other proper authorities, to ascertain if the facts narrated in the press are correct, and we will then have more to say. We cannot stand here, on the eve of the greatest achievement political history will record in the annals of the empire, and find one of the prominent ministers of Canada holding up a sword against it. This measure of home government is as dear to the French-Canadian and every British subject, with a loyal and tender heart in his breast, as to any Irishman. The Canadian Parliament in 1882 made a plea and put forth a prayer for Home Rule, and in 1886 this same Parliament of Canada upheld the efforts of that great, glorious, and illustrious statesman, William Ewart Gladstone. But now, thirty-two years after that expression of sympathy for the Irish cause by the people of Canada, through their representatives in Parliament assembled, we find one of the foremost ministers of the Government attending a rebellious banquet, and leaving his work in the Parliament of Canada to so attend, under the pretence that he was sick. The Government must understand that such procedure will not be tolerated in the year 1914, after this country has, on two distinct occasions, expressed itself otherwise. I am very sorry that we have only the hon. leader of the Government in this House to address on this matter. I know he does not feel as Mr. Cochrane does. I should like to be in front of Mr. Borden and his ministers, and tell them what the people of this country expect, and what they will not tolerate. I do not know whether Mr. Borden would be a party to the action of his minister; but the Government should demand an apology from Mr. Cochrane, and, if the apology is not forthcoming, to ask for his resignation, or be held responsible or jointly liable with Mr. Cochrane in regard to this rebellious attack on the British Government.

The motion was lost.

BILL INTRODUCED.

Bill (A1), An Act respecting the Saskatchewan and Hudson Bay Railway Company.—Hon. Mr. Davis.

FIRST READINGS.

Bill (51), An Act respecting the Bronson Company.—Hon. Mr. Belcourt.

Bill (73), An Act respecting the Canadian Northern Railway Company.—Hon. Mr. Watson.

Bill (75), An Act respecting the Continental Fire Insurance Company of Canada.—Hon. Mr. Watson.

Bill (78), An Act respecting the Patent of Otto Weils, Limited.—Hon. Mr. Watson.

Bill (96), An Act to amend the Weights and Measures Act.—Hon. Mr. Lougheed.

Bill (103), An Act to prohibit the manufacture, importation and sale of matches made with white phosphorus.—Hon. Mr Lougheed.

THIRD READINGS.

Bill (33), An Act respecting the Acadia Loan Corporation, and to change its name to the Mortgage Corporation of Nova Scotia.—Hon. Mr. Power.

Bill (35), An Act to incorporate the Bank of Alberta.—Hon. Mr. Talbot.

Bill (38), An Act respecting the Sterling Trusts Corporation.—Hon. Mr. Kerr.

Bill (S), An Act for the relief of Eliza Jane McLaughlin.—Hon. Mr. Talbot.

SECOND READINGS.

Bill (T), An Act respecting the Sterling Life Assurance Company of Canada.—Hon. Mr. Talbot.

Bill (J), An Act respecting W. C. Edwards and Company, Limited.—Hon. Mr Beique.

Bill (67), An Act to incorporate the Norfolk and Elgin Railway Company.—Hon. Mr. Ratz.

Bill (72), An Act respecting the Calgary and Fernie Railway Company.—Hon. Mr. DeVeber.

Bill (76), An Act to incorporate Les Sœurs de la Charité de l'Hôpital Saint Antoine de Le Pas.—Hon. Mr. Bolduc.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

Friday, March 20, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

Hon. Mr. CLORAN.

BANKING AND COMMERCE COMMITTEE.

MOTION.

Hon. Mr. WATSON moved that the name of Hon. Mr. Costigan be placed on the Committee on Banking and Commerce.

He said: My reason for making this motion is that there is a vacancy on the Banking and Commerce Committee, caused by the death of Sir George Ross.

The motion was agreed to.

MINISTER OF RAILWAYS IN ENGLAND.

QUESTION OF PRIVILEGE.

Hon. Mr. CLORAN—I deeply regret to have to worry the honourable leader of the House—

Hon. Mr. LOUGHEED—Not at all; that is what he is here for.

Hon. Mr. CLORAN—I am obliged to do so on account of his position as representative of the Government in this House, and when I address him it is not as leader of the Senate (because as such I respect him most profoundly) but as the representative of the Government in this Chamber, responsible to the people. I desire to ask him, has the Government up to the present moment taken any steps to ascertain if one of their ministers has sided with a rebel in London on the occasion of the presentation to him of a sword, to be drawn against the British Government and the British Empire? I know my hon. friend will give the same old answer, 'I have no official information'. Has the Government taken any measures to ascertain whether Hon. Mr. Frank Cochrane, Minister of Railways of the Dominion of Canada, was present at that demonstration, and shook hands over a sword, to break the British Government and Mr. Asquith, and help to destroy the empire?

Hon. Mr. LOUGHEED—I would suggest to my hon. friend, if he wishes any information upon this question, that he should give notice in the usual way, so that the inquiry may appear upon the Order Paper. I shall be very happy to give attention to any such inquiry.

Hon. Mr. CLORAN—I will do that.

VOLUNTEER BOUNTY ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (98), An Act to amend The

Volunteer Bounty Act, 1908, and amending Acts.

He said: This is a Bill proposing to extend the time for the surrender of rights of holders under the Volunteer Bounty Act, 1908, and amending Acts, to enable them to take advantage of the Government paying $500 for such surrender in the event of their making it. If any further explanation is desired, when we go into Committee I shall be very glad to make it.

Hon. Mr. DAVIS—Does this allude to what we call South African scrip ?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. DAVIS—Do I understand the hon. gentleman to say that the Government proposes to give $500 to each holder who exercised the option to surrender his rights ?

Hon. Mr. LOUGHEED—Yes; it does not extend the time for filing the warrants on land. That time is exhausted, so it is now proposed to pay $500 to holders of the scrip in lieu of the rights which they enjoyed to file their warrants upon land.

The motion was agreed to.

SECOND READINGS.

Bill (53), An Act respecting The Empire Life Assurance Company of Canada.—Hon. Mr. Tessier.

Bill (57), An Act respecting British Trust Company.—Hon. Mr. Tessier.

Bill (58), An Act to incorporate The Sudbury, Kepawa and Bell River Railway Company.—Hon. Mr. Gordon.

Bill (66), An Act respecting the patent of The National Wood Distilling Company.—Hon. Mr. Tessier.

Bill (V), An Act for the relief of Lenore Power.—Hon. Mr. Derbyshire.

BILLS INTRODUCED.

Bill (B-1), An Act to consolidate and amend the Railway Act.—Hon. Mr. Loughheed.

Bill (C-1), An Act for the relief of Johann Andreas Horn.—Hon. Mr. Talbot.

Bill (D-1), An Act respecting the Western Life Assurance Co.—Hon. Mr. Watson.

The Senate adjourned until Tuesday next at 3 o'clock.

THE SENATE.

Tuesday, March 24, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

ST. JOHN'S GATE, QUEBEC.

INQUIRY.

Hon. Mr. CHOQUETTE rose to—

Call the attention of the Government to the correspondence exchanged between His Honour the Mayor of Quebec, and the right hon. the Prime Minister, and to inquire from the Government whether it is informed that the historical name of the 'Saint John's Gate,' which practically forms part of the fortifications of Quebec, is to be exchanged to that of 'Connaught Gate.' If so, is it the intention of the Government to allow the said change to be made?

He said: I did not intend to say much about the question I have put to the Government, but it is very important to know if, really, the name of St. John's Gate is to be changed. We in Quebec would all be very glad to have some monument which would carry the name of our present Governor General, but I am afraid it would be very hard to give the name of our present Governor General to St. John's Gate. It would take generations before we could make the people believe that St. John's Gate should be called by the name of Connaught Gate. I have been surprised at the correspondence exchanged between the mayor of Quebec and the Governor General; I am quite sure that the idea never originated in the head of our mayor of Quebec. According to my information this movement—an unfortunate movement—was started from Ottawa by some parties who would like to make their bow to the Governor General. I am sure, for many reasons, that the letter which has been signed by the mayor of Quebec was never written by him; he just put his name to the letter because he was asked to do so. It was not fair to accuse our mayor of doing what he did in order to have himself knighted; I think that is very far from his mind. Even if such accusations were true, it would make the situation still worse. At any rate I wish to say—and I say it on behalf of the citizens of Quebec—that they would be very sorry indeed if the old name of La Porte St. Jean were changed to the most respectable name of our Governor General. The old name is an historical one, and has been in use in Quebec for over two centuries.

Hon. Mr. CASGRAIN—Three centuries.

Hon. Mr. CHOQUETTE—It would not be fair to the province of Quebec that the stroke of the pen should change the name. I would have been delighted to have some monument in Quebec baptised with the name of our Governor General. We have been informed by the Government—and I think it is true—that they are going to construct large works in that province. They are going to build a union station; to dam the St. Charles river; to construct the Transcontinental works at St. Malo; to build a dry-dock, and according to the Postmaster General, they are going to have a tunnel in order to reach the heart of the city of Quebec. I must suppose the Government is serious and is going to carry out its promises, and it will be fitting for the Government,—and the people of Quebec will be delighted—that one of these large works shall be baptised with the name of our Governor General. We might call the Connaught Dry Dock, the Connaught Tunnels or the Connaught Work Shops after the Governor General. I protest against the taking away of the historical name of La Porte St. Jean, which has been spoken of in every book and in every newspaper article written in regard to Quebec, and I am sure the Governor General himself would not be in favour of the elimination of that historical name. If he has accepted the change, erroneous representations must have been made to him, and I would not blame him for it. But, if the facts were put before him, he never would have consented to his name being attached to this gate. I hope the name of La Porte St. Jean will remain as long as Quebec stands.

Hon. Mr. LOUGHEED—I may say to the hon. gentleman that the Government has no information on the subject beyond that which is contained in the correspondence to which he alludes. The matter is one that would be left entirely to the civic authorities of Quebec. The mayor of Quebec in a letter written to the Prime Minister of Canada,—which is in the correspondence,—writes as follows:

> May I add the suggestion that it would be specially agreeable to the citizens of Quebec if the new gateway bore the name of our present distinguished Governor General.

Nothing has been done in the matter as yet, and the Government will be controlled entirely by the wishes of the civic authorities of that city.

Hon. Mr. CHOQUETTE.

THE MINISTER OF RAILWAYS IN ENGLAND.

Hon. Mr. CLORAN—I desire to make a frank apology to the hon. leader of this House. I promised him at the last sitting that I would put my question on the Order Paper for to-day, in regard to the famous Carson-Cochrane Sword issue, and I apologize to him now for not having kept my word, I do so for two reasons. I am fairly well satisfied, and I think the country is also satisfied, that the Government of the day is utterly unable and incapable of controlling the actions of their ministers either at home or abroad. I am also convinced—and the country is with me—that the ignorance of the Government in regard to those large questions regarding imperial affairs is quite dense. Under these circumstances I think it would not avail anything to push the matter any further or to place the question on the Order Paper.

INTERNATIONAL JOINT COMMISSION ON WATERWAYS BILL.

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of

> **Bill (90), An Act to amend an Act relating to the establishment and expenses of the International Joint Commission under the Waterways Treaty of January 11, 1909.**

Hon. Mr. DAVIS—Could the hon. gentleman give us some idea of the number of engineers employed by the commission, and the salaries they receive?

Hon. Mr. LOUGHEED—I am sorry that I cannot give my hon. friend detailed information, such as he asks. If, however, he desires information of that character, if he will favour us with the usual notice of inquiry, I shall be very glad to obtain the information.

Hon. Mr. DAVIS—I shall put an inquiry on the Order Paper.

Hon. Mr. CASGRAIN—I desire to thank the hon. leader of the House for allowing this matter to stand until to-day, because I wish to make a few remarks on this very important subject. I fear that many hon. members of this House do not fairly realize the importance of this International Joint Commission. This commission was established by a law passed by the Government of the Right Hon. Sir Wilfrid Laurier, and it was in line with many other measures, always looking to the autonomy of Canada

—that is, allowing this country to handle as much as possible its own affairs. The proof of this statement is found in the operations of the present commission. Before this law was passed and this commission was established, I do not think there can be found any other instance in which the high contracting parties—that is the United States of America and Canada—were allowed to deal absolutely for themselves, without having one or more representatives of the Imperial Government on such commission. This International Joint Commission is composed of three gentlemen from the United States of America, and also three commissioners representing Canada, who are Canadians. There is no one appointed to represent the Imperial Parliament, which shows that the policy inaugurated by the late Government in trying to deal with our own affairs has been recognized. This has been a great step towards our obtaining absolute control of our affairs. On all the other commissions you will find there were always some representatives of the Imperial Parliament. Going back to 1871, to the time of the Fisheries Treaty, to when that question was submitted to arbitration in 1876, we find that there was one commissioner for Canada, Sir A. T. Galt, also a commissioner representing the United States, and a third who was a foreigner. He was not a Britisher, not a member of the empire. In that case Sir A. T. Galt, representing Canada, was ably assisted by a very famous lawyer in Montreal, Mr. Joseph Doutre, and also by Sir Louis Davies, now of the Supreme Court. They carried their point absolutely, and it was decided that that arbitration was an unqualified success as far as Canada was concerned. Later on, when the arbitration took place at The Hague on the North Atlantic fisheries question, Canada was represented by Mr. Aylesworth, now Sir Alan Aylesworth, and Mr. Ewart, well known for his 'Kingdom Papers.' The British Attorney General simply took part in some of the argument, but all the diplomacy of the case and all the argument were left to Canadians, and there, also, Canada was successful. It has been quite different when gentlemen have been appointed from the other side of the water. We all remember the arbitration that took place over those small islands in the Pacific ocean near Prince Rupert. Canada was represented on that commission. There were three Americans appointed, supposed to be jurists of great repute, and two Canadians, and one whom I shall call an Englishman—Lord Alverstone. The arbitration went on. The understanding was that if the commissioners divided equally—if the three representatives of the United States upheld the contentions of their country, and the three representing Canada upheld the contentions of their side—there would be no finding. If there was to be a finding it would have to be by a majority. In that case a majority was obtained, but how? It was obtained by our representatives, Sir Louis Jetté, at that time Lieutenant Governor of the province of Quebec, and Sir Alan Aylesworth, afterwards Minister of Justice, being left by Lord Alverstone, who sided with the representatives of the United States and decided in their favour. The consequence was that we lost territory on that occasion.

Hon. Mr. CLORAN—That is what they always do.

Hon. Mr. CASGRAIN—I think the Senate, which is free from the turmoil of politics, should give special attention to international questions. It might be well for us to be informed of the good work that has been done by this International Commission. The best evidence that the work is being carried on satisfactorily—and I do not wish to detract from the leader of the House when I say so—is that he admitted frankly that he was not very familiar with the operations of this commission. That speaks volumes for the manner in which this commission has managed many important questions, without the assistance of this Government. They have managed to settle very difficult questions, some of which I might mention. The commission assembled for the first time in January and February, 1912, at Washington, and it naturally took a couple of months to settle the rules of procedure, and the rules and regulations that were to govern the commission, and to have these rules approved by the two high contracting parties. Because—remember always—anything done by this commission is done as between the United States and the Empire; the commissioners on either side act under the provisions of a treaty.

Briefly stated, and leaving aside certain special powers given to the commission, as to Niagara river, Milk river, etc., the jurisdiction and powers of the commission are defined:

1. In articles III and IV of the treaty,

which empower the commission to render final decisions in the cases of uses, obstructions and diversions of boundary waters on either side of the line and of the construction or maintenance of remedial or protective works, dams or other obstructions in waters flowing from boundary waters, etc.

2. In article IX of the treaty, under which questions or matters of difference arising between the high contracting parties involving the rights, obligations or interests of either in relation to the other or to the inhabitants of the other along the common frontier may be referred from time to time to the commission for examination and report, and

3. In article X of the treaty, under which any questions or matters of difference arising between the high contracting parties involving the rights, obligations or interests of the United States or Canada either in relation to each other or to their respective inhabitants may be referred for decision to the commission by the consent of the two parties.

It might appear from this that the sole purpose of the commission was to deal with the boundary waters between the United States and Canada, but you will find in article X of the treaty that any question or matter of difference arising between the high contracting parties, involving the rights, obligations, or interests of the United States or Canada, either in relation to each other or their respective inhabitants, may be referred for decision to the commission by the consent of the two parties. Then, according to another article of the treaty, other matters of difference may be and are referred, but not for final decision—matters affecting the inhabitants of either country along the common front may be referred from time to time to the commission for examination and report. The cases referred to the commission for report are not so serious, but in article IX, cases are referred to it for decision.

Now the first question that was submitted to this commission under article IX was one of very great importance to the people of Detroit, Windsor, and Amherstburg, and affected the Detroit river. The United States Government had improved, and in fact in some cases created, a channel on the south side of the river—called the Livingstone channel—about sixteen miles below Detroit. After having made this channel, the engineers—although the hon. leader of the Government would have us believe that Government engineers never err—the engineers of the United States Government erred, because in making the channel they did not take into consideration the cross-currents. The channel was constructed to allow vessels to go down the river. There is another channel on the Canadian side which is used by ships going up the Detroit river, and this system of navigation obtains almost all the way up to Sault Ste. Marie. Everybody knows what a tremendous trade is done on the Detroit river. After the Livingstone channel had been completed and in operation it was found to be very difficult for navigation by large steamers. Some of those vessels are 600 feet in length, and they could not keep in the channel. It was proposed then to erect a dyke in order to divert the current, and the proposition, for which a sum of $11,000,000 had been appropriated by the United States Government, was to build this dyke from the Livingstone channel to the foot of Bois Blanc island, on the Canadian side of the river, and Canadians made a serious protest. Now, if we had not had this commission to deal with the matter, probably the United States Government would have gone on with the work. We would have had to appeal to the imperial Government to get a commission appointed, because we must recognize the fact that we cannot in any way approach any Government in the world except through the regular channel, the Colonial Office. We do not exist as a nation. We are a colony, and until we change our status we will remain a colony, no matter what people may say on one side or the other of politics. If it had not been for this commission it would have taken a long time, perhaps, to prevent the erection of this dyke. The commission met in Detroit, had several sittings, heard witnesses and experts, heard counsel on both sides, and finally found that it was not absolutely necessary to build this dyke from the bottom of Livingstone channel to Bois Blanc island. Such construction would have caused pollution of the water on the Canadian shore, flooded wharves and properties, and every spring accumulated ice on the Canadian side. It was found possible afterwards to erect this dam entirely on United States territory. The first one would have been constructed almost absolutely on Canadian territory. All the parties consented, and the dyke will now be erected on the United States side, and there will be no interference with, or flooding, or pollution of the waters on the Canadian side. That is one of the ques-

tions which the commission has settled, and settled so peaceably and amicably that I do not think that even the Government of the day was aware of what was accomplished. I do not say this in the way of detracting from the Government, but to show the excellence of the work of this commission.

The next question referred to the commission was one of big importance. I see the hon. gentleman from Belleville is giving me an attentive hearing, and I thank him for it, because the question came up before his Government, when he was in power—I refer to the question of the level of Lake of the Woods. For years and years gone by we all remember that every time a dam or other improvement was made to develop power at the outlet of Lake of the Woods—thereby raising or keeping at spring level the height of the water in the lake—there were always protests from the inhabitants on the south shores of the lake—from people in Minnesota and from people on the west side of the lake. They claim that the construction of these works caused flooding of the low shores and destroyed the fishing industry. It appears that fishing is a very profitable occupation in that portion of the Lake of the Woods. It was decided to submit this question to the commission. In due course sittings were held at International Falls, Warroad and Kenora. A great deal of evidence was taken, counsel representing the two countries were heard, and at last it was decided to appoint two very eminent engineers, Mr. Arthur D. White, representing Canada, and Mr. Adolph F. Meyers, for the United States, to carry on surveys and gather data in order to find out and instruct the commission as to what would be the proper height to keep the waters of the Lake of the Woods.

These engineers went to work. Large parties of surveyors were at work all last summer, and if the time occupied might appear to be too long, hon. gentlemen must remember that the catchment area of the Lake of the Woods and the Rainy river is 21,000 square miles. Therefore, it was necessary to make very extensive surveys in order to ascertain the rainfall over that immense area, and to guard against any obstruction to the Kenora power. Hon. gentlemen must remember that at Kenora we have some very important industries; such as flour mills, lumbering operations, and other industrial establishments, and, in consequence, the work required a great deal of information. During last January these engineers made a preliminary report, and when all the documents are in the commission expect to be able to make a finding and to settle forever the future level of the Lake of the Woods. Another very important question has also been submitted to them, and I regret the hon. gentleman from Ottawa is not here, because he takes a special interest in this matter. There seems to be something of interest in this commission for every one in this House. I refer to the question of pollution of water. The question of the pollution of the boundary waters between the United States and Canada was also submitted to the commission. It began its work, first by hearing evidence on this question and by employing the very best bacteriological experts they could possibly get, and samples of the water were taken from all the tributaries of the Lake of the Woods, Shoal Lake, down the Rainy river, Lake Superior, Lake Michigan, Lake Huron, St. Clair river, Lake St. Clair, Detroit river and the Niagara river, Lake Erie, Lake Ontario and down the St. Lawrence as far as the St. Lawrence is the boundary between the United States and Canada. Besides that, samples of the water were also taken on the St. John's river, where it is the boundary between the state of Maine and Canada. Maps, plans, reports, and data are now being printed, and will be ready in a few days, and it appears that this work is the most comprehensive of its kind that has ever been done in the world. These maps will show the pollution and the sources of the pollution all down that immense water stretch. When all these data are before the commission, the second question which has been put before them will be taken up—the question as to the remedy, of how to render less harmful this pollution of the water. The investigation would not be of much use if there were no remedy proposed. Now I would call the attention of the House to the fact that those three men representing Canada, familiar with the territory with which they are dealing, knowing and being able to appreciate this study what has been the cause of the pollution of the streams, enlisted first the help of the Boards of Health of Ontario and of Quebec, and also those of Minnesota, Ohio, Michigan, Pennsylvania, New York state, and so on, and called experts from all those places to find out if possible the exact source of pollution. It is to be hoped that the remedy will follow in the near

future, when all these data are available. I am asked by my hon. friend on my right (Hon. Mr. Edwards) what was the result. The result as far as it has gone, has been to locate the sources of pollution all the way from Rainy river, Lake of the Woods, down to the Atlantic coast; when this commission makes its finding it will be possible for the high contracting parties to take the necessary steps to remedy the evil. Here is another matter which might be of interest to the hon. member from Russell. It was in April, 1912, that the Watrous Island Boom Company made application to extend a boom for their lumbering operations for a distance of eleven miles on the Rainy river. This boom in that distance entered in many places on Canadian territory. Some objection was taken by the Canadians to those proceedings, and the commission deputed two of its members to visit the locus in quo—which means, in plain English, the site of the work. These two commissioners proceeded to visit the locus in quo, and they found that the boom was very objectionable. However, after hearing evidence again and having experts—expert lumbermen, I suppose—they decided that the booms would be placed in a certain way and maintained in a certain way, and the whole question was settled amicably. Hon. gentlemen will see that at all these points there could easily have been international friction; yet with a commission of that sort, and ever since they have been acting, everything has gone on very smoothly—so smoothly, in fact, that the Government of the country is not absolutely aware of all there is going on—without detracting from the hon. the leader of this House, of course. Now, the hon. members from Portage la Prairie and Winnipeg will be interested to learn that when the authorities of the greater Winnipeg water district were looking for water for that great city that will be——

Hon. Mr. WATSON—That is.

Hon. Mr. CASGRAIN—On the banks of the Assiniboine and the Red river, Winnipeg, in their ambition they wanted to provide enough water for a city of a million people. Well, I hope they will have that population some day, when we have good times and a new Government. However, the question was where to find this water, and it was decided that the only place was Shoal Lake, which is a tributary of the Lake of the Woods, and consequently international water. Neither the United States of America nor Canada can take water from boundary waters, without the permission of the other, according to this treaty. A sitting was held in Washington, and this case was a harder one than usual, because once the water was taken from Shoal Lake or from Lake of the Woods, that water would drain down to Winnipeg, and in Winnipeg it would probably drain into the Red river and then into Lake Winnipeg, and so on to the Hudson bay. That water would never return to the Lake of the Woods—the situation was something like the one in which water extracted from near Chicago by the Chicago Drainage canal, which comes out of Lake Michigan and falls into Desplaines river, then into Illinois river and the Mississippi, down to New Orleans and is lost to the St Lawrence. After hearing the experts in Washington, the commission granted to the greater Winnipeg water district permission to take 100,000,000 gallons of water daily, which will easily provide for a city of a million people at least. That question was satisfactorily settled. Another question is now pending before them, that of the Michigan Northern Power Company at Sault Ste. Marie. To my personal knowledge that question was an active one in 1900 when I visited the Algoma steel works, then under the Supervision of Mr. F. H. Clergue. The Canadian company wanted to increase the head of water, which is about twenty-four feet, by making a wing dam into the St. Mary's river the outlet to the Lake Superior, and the same thing was wanted also on the American side, but the parties could not come together. After these fourteen years the question is up again and is about to be decided. It would take a great deal to affect the level of a large sheet of water like Lake Superior; yet hon. gentlemen in this House may be surprised to hear—and this information I have had since I was there fourteen years ago—that the erection of the small piers of the bridge of the Canadian Pacific Railway Company crossing the St. Mary's river just at the outlet of Lake Superior, have been sufficient within a year after their erection to raise the level of Lake Superior nearly one foot. I know that to be a fact because I happened to have had something to do with it professionally. Just below the rapids of Sault Ste. Marie the level of St. Mary river fell 22 inches, because the late Hon. J. Israel Tarte had had removed some boulders at the outlet of Lake Huron. This question will be decided in the near future by this commission. It is a very serious

question in this way that if a dam were put at the outlet of Lake Superior, and raised the water ever so little, the city of Duluth, for instance, at the other end of the lake, and thousands of acres, I am informed near Fort William, would be flooded. Therefore regulating weirs must be established by which the level of the lake in springtime will be maintained all the year round, and these regulating weirs must be large enough, whenever there is an increase in the quantity of the water, to permit the extra water to flow away. Otherwise part of Fort William would be under water. Protests came in in regard to that. After the argument had been heard and the evidence all adduced, parties who were opposing asked for delay, in order to have the evidence considered, and prepare their answer; and this was granted. The riparian proprietors and the municipalities around Lake Superior have asked that the matter be adjourned, so as to give them time to prepare their case and be heard before a final decision should be rendered. This commission has held fifty-six sittings. They have given satisfaction to the high contracting parties they represent; and if ever a measure was passed by the late Administraton which redounds to its credit, which confirms our autonomy, and which proves that when we look after our own affairs we can look after them better without any help from the other side—this measure is the one. I think great credit is due to the late Administration, and I was very glad to get these notes together in order to show that so much good has been done by the late Administration. Like other measures that were passed by the old Administration, and that the present Government has left alone, they are giving good results.

Hon. Mr. WATSON—Has all the work done by this commission been performed by the commission originally appointed, or has there been any change in the commission?

Hon. Mr. CASGRAIN—That is a very vexed question, whether the first commission were appointed or not. There were other names mentioned by this Government and sent over to the Imeprial Government for sanction. During that time there was a change of Government, as we all know, and I do not know whether this Government sent names to replace those who had been appointed by the former Administration. That is a question I will leave to the leader of the House to answer.

Hon. Mr. LOUGHEED—I have to express my acknowledgments of indebtedness to my hon. friend for the very lucid explanation he has made as to the work accomplished by this commission. He has relieved me by the very comprehensive review which he has entered upon, from the labour attached to making a study of the subject. I can assure hon. gentlemen opposite particularly that any contribution of this kind in the future, looking to a division of labour, will be very acceptable to myself. Furthermore the tribute of praise which my hon. friend has paid to the present Government in reviewing the acts of this commission will be extremely encouraging for the Government to do equally well in the future. So far, as the appointment of the other commissioners is concerned, I might say to hon. gentlemen that the other commission was not appointed as provided by law. Certain names had been suggested by the late Government for the purpose of constituting the board. Those names had to be submitted to the imperial Government for sanction. That sanction had not been given when the late Government went out of office, consequently the responsibility fell upon this Government of recommending, for imperial sanction, other names, and the present Government accordingly suggested the names of the gentlemen who now constitute the board. My hon. friend has covered so well a general review of the subject that it is entirely unnecessary for me to repeat what he has so well said in moving the third reading of the Bill.

Hon. Mr. WATSON—Could the hon. gentleman tell me if there were any reasons given for the original appointments not being accepted by the British Government?

Hon. Mr. LOUGHEED—It happened when the late Government went out of office. The imperial sanction had not been given to the names that had been recommended by the late Government.

Hon. Mr. WATSON—Does the hon. gentleman know why?

Hon. Mr. LOUGHEED—And, very naturally, the present Government did not feel inclined to insist upon imperial sanction being given to the names of those recommended by the previous Government. They

felt that they were in a position to recommend equally good if not better names, and accordingly did so.

Hon. Mr. WATSON—They instructed the imperial Government to withhold their sanction until they suggested further names.

Hon. Mr. LOUGHEED—I do not recall what took place.

Hon. Mr. WATSON—They did not instruct them?

Hon. Mr. LOUGHEED—I am not aware as to that point. All I am aware of is that the sanction had not been given.

Hon. Mr. POWER—I think the hon. gentleman from De Lanaudière has placed the House under a great obligation by taking the trouble he has done to put himself in a position to deliver so instructive an address as that which we have listened to; and there is this other circumstance about this address, that, except a few trifling expressions towards the close, it was an address that might have been made by either side of the House. He delivered it in a non-partisan character. I rise partly to supply an omission which the hon. gentleman made in speaking of the Fishery Commission which sat at Halifax in the year 1877. The hon. gentleman mentioned the name of two counsels, the late Joseph Doutre, and the present Sir Louis Davies. As a matter of fact, the gentleman who was looked upon as the leading counsel in that case was not mentioned by the hon. gentleman. It was Samuel Thompson, of New Brunswick. He was one of the greatest lawyers that we have ever had in Canada, and he was, I think, looked upon by people who listened to the discussions and those who read the reports of the discussions as really the leading counsel on the Canadian side.

Sir MACKENZIE BOWELL—Hear, hear.

The motion was agreed to, and the Bill was read a third time and passed.

THIRD READINGS.

Bill (V), An Act for the relief of Leonore Power.—Hon. Mr. Derbyshire.

Bill (43), An Act respecting Queen's University at Kingston.—Hon. Mr. Taylor.

Bill (65), An Act respecting the McClary Manufacturing Company.—Hon. Mr. Donnelly.

Hon. Mr. LOUGHEED.

SECOND READINGS.

Bill (W), An Act for the relief of Walter James Liscombe.—Hon. Mr. Derbyshire.

Bill (X), An Act for the relief of Ethel Cora Robinson.—Hon. Mr. Derbyshire.

Bill (Y), An Act for the relief of George Fullerton Forsythe.—Hon. Mr. Talbot.

Bill (51), An Act respecting the Bronson Company.—Hon. Mr. Belcourt.

Bill (75), An Act respecting the Continental Fire Insurance Company of Canada.—Hon. Mr. Watson.

Bill (78), An Act respecting the patent of Auto Wheels, Limited.—Hon. Mr. Watson.

CANADIAN NORTHERN RAILWAY COMPANY BILL.

SECOND READING.

Hon. Mr. WATSON moved the second reading of Bill (73), An Act respecting the Canadian Northern Railway Company.

Hon. Mr. POWER—I think the hon. gentleman should make some explanation over this Bill. It is not in the ordinary line.

Hon. Mr. WATSON—The Bill is for the purpose of authorizing the signature of the president of the Canadian Northern railway to be attached to bonds and coupons by lithograph instead of by personal signature. That is the nature of the Bill.

The motion was agreed to, and the Bill was read the second time.

WEIGHTS AND MEASURES ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (96), An Act to amend the Weights and Measures Act.

He said: The proposed amendment has reference to the metric system. Under the law as it now stands this system of weights and measures is permissive. The object of the amendment is to provide for the substitution of the international metric standards in use throughout the world for the local standards in use under the present law. When the Bill goes into committee I shall be glad to give any further explanation that may be desired.

Hon. Mr. YOUNG—Is it intended to make the use of the metric system imperative?

Hon. Mr. LOUGHEED—No, the amendment leaves the law as it is, so far as its permissibility is concerned, but it substitutes for the present standard, a standard adopted by the International Bureau.

Hon. Mr. BOSTOCK—As the Bill is not made compulsory, what does my hon. friend propose to do to get the system adopted? I remember when Sir Henry Joly was in the Department of Inland Revenue, he took a very deep interest in this matter and had a large number of the different weights made up into cabinets and distributed to schools throughout the country. Afterwards, when he was appointed Lieutenant Governor of British Columbia, on several occasions he took a great deal of trouble in getting up lectures and speaking to people generally in that part of the country for the purpose of getting them educated to the use of this system of measurement; but since his death I have never heard of any action being taken by the Government or by any private individual to get the people educated to consider the adoption of the metric system. Is there any intention on the part of the Government to take this matter up?

Hon. Mr. LOUGHEED—While the use of the metric system is permissible, it is now used very largely. It is used, I understand, entirely in measuring electricity, and is applicable also in other directions. It is to be hoped that before very long public opinion may be educated up to this system of measurement. It is not considered desirable to make it compulsory at the present time, but as it is being adopted very largely by most of the other nations of the world, it is to be hoped that before very long we in Canada may see the advantage of adopting it as a system of measurement, and we can then get legislation to make it compulsory.

Hon. Mr. POWER—I suppose until this system is adopted generally in the United States and England we are not likely to adopt it here.

Hon. Mr. LOUGHEED—The adoption of the system is being strongly urged on the Government by the universities and by scientific men in the Dominion. It is being used largely by schools of that kind and by scientific men for the measurement of whatever forces or matter they may be interested in. Of course we cannot force public opinion in its adoption.

Hon. Mr. POIRIER—Let me tell my hon. friend from Halifax that although in England and the United States the use of the international metre is not obligatory, still the international metre is adopted as the legal standard in both countries. This matter is of very great importance. It is a move toward universal fraternity, if I might say, bringing nations closer together by basing their transactions upon standard units. It is not, as some people imagine, a French institution merely. It is now an international affair. It is true that the metric system was first adopted by France, but hon. gentlemen will take notice that the commission was to be composed of French and English scientists. That was during the French revolution, and France being at war with England, the English scientists abstained from taking part. It was the French savants who established the metric unit, which is composed, as you all know, of a tenth millionth of the quadrant of the earth. La Place and other great astronomers of the time were employed in the work.

Now the superiority of the scheme was soon found out by scientists the world over, and one after the other the great countries fell into line. The Conference of Weights and Measures was established by a diplomatic convention signed in 1875 by plenipotentiaries representing nineteen governments, its object being to discuss and educe measures necessary for the propagation and perfection of the metric system, as well as to sanction any new fundamental meteorological discoveries which might be made in the interval between its meetings. By the terms of the convention the contracting parties agreed to establish and maintain at common cost an international bureau of weights and measures. The operations of this bureau are carried on under the exclusive direction and superintendence of an international committee, placed in its turn under the authority of the general conference, consisting of delegates from all the governments and meeting at least once every six years. Votes at the meetings of the general conference are taken by state, each state being entitled to one vote. That committee is composed of fourteen members all belonging to different states, and elected by ballot at the meetings of the conference; those members are the leading scientists of the world. The work done is one essential to civilization. In 1875, at the time of the first convention, there were only twelve countries where the metric system was compulsory, namely, Germany, Belgium, Russia, Colombia, Cuba, Spain, France, Holland Italy, Luxembourg, Peru, Portugal; now there are thirty-two countries where the metric system is compulsory; in fact it is compulsory in all the civilized nations of the world, excepting Turkey, England, the United States, and the colonies of England. I read the other day that Malta is adopting

it, and by the first of July next it will be compulsory there also. The absence of participation in the metric system on the part of England and the United States is somewhat of a handicap, because the whole civilized world has now adopted it, making it compulsory; and England and the United States will eventually have to fall into line. The system is highly civilizing, as it brings together all the nations of the world, and simplifies international affairs. It is now exclusively adopted in the scientific world; in fact science could not make adequate measurements with the old measures, in the case of units of light and units of heat, for example. England, not very long since, has adopted the centimetre-gram, which is the second application of the system of units, introduced by the British association for the advancement of science. This is to-day used all over the world. As we know, the old systems are not clear, even the English system. For example, how many hon. gentlemen present know how many yards in a rod, or a pole, or in a perch? We are puzzled at every step. When it comes to units in matters of money we find the same difficulty. All matters which are now universal must be brought down to the same units. That is what the metric system is doing. It was first applied in France, and, in its secondary effects, the centimetre-gram, in England. This law, as has been explained by our leader, simply substitutes, for what we have now, the prototype, the original metre which all the nations of the world copy, and which is deposited in Paris. It is not the exclusive work of French savants; it has been made most accurately, with the utmost precision that human science and ingenuity can devise, by the fourteen men who composed the Bureau. It is made of platinum and iridium, and all the nations that belong to the conference go and make their metre from the standard metre which is deposited in Paris. Let me give you an instance of what happened before the adoption of the standard metre. There were geodesic work done in Germany and Austria according to the metric system; but local metres, such as we have here, were used. When it came to comparing notes, there were notable differences; though they both used the metric unit there happened to be some slight difference in the two local standard metres, and the work had to be done over again. With a system having one universal metre, recognized as the prototype metre, all the nations of the world will have exactly, scientifically, the same units, not only for measures, weights, and dimensions, but for everything else, with but a single basis from which all the other developments will come. In Canada, in spite of the old conservatism which obtains in all English-speaking countries, there is a class of people who are most anxious that this legislation should pass, and that this system should be followed. These are the universities of the Dominion. The question was brought up last year and the year before at the Royal Society, of which I am a member, and was discussed there, and it was proposed that we should urge upon the Legislatures the adoption of the metric system. Concerning this very Bill now before us, I have a resolution which was adopted by the Senate of the University of Toronto on November 12:

> That the Senate of the University of Toronto recommend that the Government of the Dominion of Canada be asked to take steps to supplement their action in giving their support to the International Committee on the establishment of the length of the metre and the weight of the kilogram, by confirming by Order in Council or Legislative Enactment the length of the metre and the weight of the kilogram as determined by the said committee.

Another resolution adopted by the Senate of Queens University on December 8, 1903, was as follows:

> Whereas the Government of Canada, through its accredited representative to the International Conference of Weights and Measures, has by treaty agreed with the other nations taking part in the conference, to accept the international metre and kilogram as fixed by the said conference, and
>
> Whereas the Government of Canada has not yet carried out its obligations in this connection,
>
> Be it resolved, that the Senate of Queen's University urge the Prime Minister, the right hon. R. L. Borden, to pass during the next session of Parliament, such legislation as will make the international metre and kilogram the metric standards of length and weight in Canada.

Another resolution passed by the Board of Government of McGill university was as follows:

> That the corporation of McGill University recommend that the Government of the Dominion of Canada be asked to take steps to supplement their action in giving their support to the International Committee on the establishment of the length of the metre and the weight of the kilogram, by confirming by Order in Council or Legislative Enactment, the length of the metre and the weight of the kilogram, as determined by said committee.

As hon. gentlemen know, all the civilized nations in matters like this take their cue generally from the universities and scientific bodies. Here we have

the opinion of the universities of Canada, all in favour of the universality of the international meteric system. Coming back to the International Conference of Weights and Measures, I may say that its president is, to-day, Mr. Foster, of Berlin, Germany, and that the vice-president is an Italian, Señor Blazerna, of Rome; both great scientists. England, up to last year, had Sir David Gill, one of its very leading scientists, and to-day the representative of England on the International Committee is Major McMahon. Since 1907, I believe, Canada also belongs to the conference. We were represented at the first conference, but at the last convention we were not. It is to be hoped that to the next international conference Canada will send a representative, as it is to-day the only colony in the world on the international conference. As each country, large or small, has but one vote, Canada's vote to-day will be equal to that of powerful Germany, Russia or England. I hope our Government will not neglect to have a representative at the international conference four years hence. I for one, am glad to see that the Government has fallen in line with the other nations, and that our metre will soon be the standard metre now used the world over.

Hon. Mr. ROSS (Middleton)—I would like to ask the hon. gentleman who has just spoken, how many pounds are in a kilogram?

Hon. Mr. POIRIER—I think it is two pounds and some ounces. Something like two pounds, two ounces. I could not give you precise figures.

Hon. Mr. BOYER—We are all agreed on the merits of the metric system. The only thing that bothers me is the fact that each and every one of us at our age will have to go back to school. We have been brought up on the good old Canadian foot and inch. When we are told it is fifty miles to a certain place, we have an idea of the distance, but if you are told it is seventy-five kilometres we will never know how far we are to travel, unless we go to school and learn the system. A great many of us are accustomed to ordering by the pint bottle or quart bottle. We know what we are ordering. Under the new system if we order a litre we do not know what we are bargaining for, and will not know what we have to get rid of. The scientific bodies the world over have adopted the metric system. It strikes me the universe has gone on very well under the old system. We never got astray on it, but the world keeps revolving. It we adopt this measure, why should we not adopt some other thermometer? We have been nearly frozen to death on our good old Farenheit, which tells us it freezes at 32. If we were to adopt some other system, the Centigrade, for instance, we might be warmer; and if the scientists will tell me that we will be warmer under that thermometer, I am willing to adopt it. Our late colleague Sir Geo. Drummond took the ground that it was very sad to bring up such measures at his time of life and compel him at his age to go back to school. Every day we are passing contracts either for building houses or buying lands. If some one were to tell you that your house was going to be six metres wide you would accept it because you would be ashamed to show how ignorant you were. When you got quietly into your studio you would simply figure out that one metre is thirty-nine inches and gradually reduce it, and next morning you would be satisfied with the house six metres wide. It is the very best system, but it will involve each one of us going back to school which, at our age, would be a rather severe task.

Hon. Mr. LOUGHEED—At what point do you suggest we should adopt it?

Hon. Mr. BOYER—We have got along remarkably well under the old system. We have not lost any money by it. They have not put up any higher or lower buildings than we bargained for. We have not travelled an inch more to a mile than we should. It is simply a question of giving in to the learned body who say that the best system is the metric system. The difficulty is in getting accustomed to it.

Hon. Mr. DANIEL—The serious part of this Bill is that it establishes two legal methods in the country of measuring capacity, and measuring distance. It appears to me that that is rather confusing. One man will sell a load of hay by the ton, and most of us would understand what a ton meant, and would know what we were getting; another man might come from some more enlightened part of the country such as the district from which the hon. gentleman from Acadia comes and he might want it in kilograms or something of that kind and I think it would be very difficult for the ordinary person to understand how much he was getting. It appears to me that if it is thought ad-

visable to change the system of weights and measures in this country, the country should be prepared for it. I do not know which is the better of the two, and I am not in a position to present scientific arguments on one side or the other; but I know that any system, whether it is the best or second best whose adoption would be of use to us, must be a system in which we will be able to think. If we want the metric system, we must be able to think in metres and kilogrammes and all that sort of thing, instead of in pounds, shillings, and tons, and the other methods of measuring capacity and length that we have at the present time. I know that for some years there has been very strong effort made to introduce this system into the country, but I have read arguments against it, and I thought when I read them they were very strong arguments. The consequence of these arguments has been that England has never adopted a metric system. In my own profession there has been an attempt more or less to use the metric system in the matter of dealing with prescriptions and drugs, and that sort of thing, but neither in the United States nor in Canada has it up to the present time made very much headway.

Hon. Mr. POIRIER—Is my hon. friend aware that the Colonial Conference which met in London in 1902 recommended the adoption of the metric system for the whole empire.

Hon. Mr. DANIEL—It has been recommended I believe by certain scientific bodies.

Hon. Mr. POIRIER—The Colonial Conference that met in London.

Hon. Mr. DANIEL—But I say it has never been adopted and the reasons given for it not being adopted have to my mind been very good ones, although I am not in a position to give them now. The serious part of this legislation is that while it is a permissive Bill, I imagine it legalizes in Canada the use of the metric system. It would appear to me this is going further than we ought to go until the children of the rising generation are trained up to understand the metric system and to think in metres instead of yards and feet and that sort of thing. As far as scientific bodies are concerned, I know probably they prefer, and in fact use, the metric system, because scientists recognize no boundary—so far as international boundaries are concerned. Science is of the world, and as long as a number of nations whose scientific men are using some system of measurement, they will use the metric system. Scientific bodies in England will favour the metric system, but it appears to me that if it is the intention of Parliament to introduce a gradual change of this kind it must be done through the provinces, educating the children at the schools in the metric system, so that they will be able to think in metres, grammes, etc., instead of yards and pounds.

The motion was agreed to, and the Bill was read the second time.

INSPECTION AND SALE ACT AMENDMENT BILL.

IN COMMITTEE.

The House resumed in Committee of the Whole consideration of Bill (J), An Act to amend the Inspection and Sale Act.

(In the Committee.)

On sub-clause 3 of clause 4.

Hon. Mr. LOUGHEED—I propose that this shall read as follows:

When any such article is contained in a bag, sack or similar package the weight of the contents thereof shall be taken to be the weight of the article.

Hon. Mr. DAVIS—That ought to be right.

The amendment was agreed to, and the clause as amended was adopted.

On sub-clause 4:

Hon. Mr. LOUGHEED—I propose that this shall read:

The weight of the contents of a bag, sack, or similar package of feed shall be 100 Dominion standard pounds.

Hon. Mr. DAVIS: That is there will be 100 pounds of feed?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BOSTOCK—The words 'gross weight of feed' come out?

Hon. Mr. LOUGHEED—Yes.

The amendment was agreed to, and the clause as amended was adopted.

On clause 5:

Hon. Mr. POWER moved to amend the clause after the word 'person' in line 20 by adding the following words:

or, where such barrel or half-barrel is packed by or for a co-partnership or incorporated company, with the firm name of such

co-partnership or the corporate name of such company and with the place of business of such co-partnership or company.

He said: As a matter of fact these articles as a general thing are more frequently put up by incorporated companies than by individuals, and this is simply removing any doubt as to the information which should be on the package.

Hon. Mr. LOUGHEED—We are prepared to accept the amendment.

Hon. Mr. YOUNG—I asked the other day that the word 'person' included companies and I find by the Interpretation Act that it does—'Person includes any body, corporate or politic, etc.'

Hon. Mr. POWER—The hon. gentleman is right in a way—and again I do not think he is.

Hon. Mr. YOUNG—That is a good deal for me.

Hon. Mr. POWER—It is quite true that the word 'person' will include an incorporated company, but the definition does not say that it shall include a firm. In the clause now under consideration the Bill speaks of the initials of the christian name and the surname of the packer. I do not mean to say that a corporation has a pagan name, but it has not a christian name, nor has a firm; so in order to remove any doubt, I move the amendment of which I give notice, which is quite unobjectionable.

The amendment was agreed to.

On clause 6:

Hon. Mr. POWER moved to amend the clause by inserting after the word 'person' the following words:

Or, where such bag, sack or package by or for a co-partnership or incorporated company with the firm name of such co-partnership or the corporate name of such company and with the place of business of such co-partnership or company.

Hon. Mr. LOUGHEED—We accept the amendment.

The amendment was agreed to, and the clause as amended was adopted.

Hon. Mr. LOUGHEED—It was proposed the previous day that we should adopt another paragraph, that is 164A known as paragraph (C), reading as follows:

The provisions of paragraph (b) as to bran shall not apply to feed, but the composition of the feed in each container shall be stated

That is to give a reasonable assurance to the purchaser of a package of feed, that it contains a certain kind or kinds of grain. I do not think there can be any objection to that.

Hon. Mr. YOUNG—It will take a Philadelphia lawyer to describe some of those.

Hon. Mr. LOUGHEED—It is to prevent adulterated feed or stuff that is not feed from being sold as feed. That is to say, if a dealer should put a quantity of sawdust in a bag of bran he will scarcely mark it on the bag. Of course you cannot get any positive assurance, but you are reasonably sure that fraud will not be perpetrated by stamping on the bag a false statement, in the event of its coming under the attention of the inspectors.

Hon. Mr. DAVIS—If it is not according to what is on the inside you can prosecute him.

Hon. Mr. LOUGHEED—Simply the bald statement of what that feed is, whether it is oats, barley, wheat, or whatever it may be.

Hon. Mr. YOUNG—In the cases suggested by my hon. friend the leader of the Government it is quite easy to state on the package whether it contains chopped oats feed, barley or bran as the case may be, but when you come to the numerous combinations that are made of all kinds of stuff ground up into feed—such as you will find at such points as Fort William, and other large centres where a great deal of grain feeding is going on—I can assure my hon. friend that there will be some difficulty in carrying out the law.

Hon. Mr. LOUGHEED—I quite appreciate that.

Hon. Mr. YOUNG—What I think the Government should provide for is heavier penalties for any one who will mark on a bag something that would deceive a purchaser in regard to the quality or ingredients of the contents of the bag.

Hon. Mr. LOUGHEED—I think the penalty clauses of the Bill will be sufficiently wide to meet the conditions.

Hon. Mr. YOUNG—Once you have done that, I think you have gone a long distance, so long as a man does not deceive. If a man brands a bag as ground oats and it contained either cheaper material or material of less food value than oats, then he would be guilty of fraud, if he branded it 'Pure Oat Chop.' I am rather suggest-

ing that the prevention of fraud is one of the first duties of the Government; that therefore having accomplished heavy penalties the likelihood of such a thing not being practised, we would be going a long way. Whereas having to define by actual description the ingredients of feed will take quite a space.

Hon. Mr. DAVIS—Everything goes under a foreign name.

Hon. Mr. WATSON—I would suggest that if we have a penalty clause in this Bill, it would be quite unworkable to brand feed as suggested by the hon. leader. If you could frame a clause to brand feed in commercial grades, it would work better. The commercial grain is a good food, but when you come to say that you should brand it with the ingredients of the bag, there is bound to be a lot of obnoxious weed seed more or less, generally more than less, and with a penalty clause there would be trouble, but if you say feed should be composed of commercial grain you would eliminate noxious weed seed.

Hon. Mr. LOUGHEED—What would you do with the grain that is not commercial grain?

Hon. Mr. WATSON—I would not brand that at all. It would be known as stuff that would not brand.

Hon. Mr. LOUGHEED—Even if there were some seeds of the kind my hon. friend states in the bag that would scarcely bring it within the penalty clause, if seeds of that kind did not make up any substantial portion.

Hon. Mr. WATSON—Oh, yes. It is well known by any person engaged in the milling business that seeds of all descriptions are run into bran now, and it weighs heavy. Some of it is good seed, and some of it no use; but it makes weight, and is sold by the ton. During the past year there has been quite a large export of oats to the United States. They send feed oats to the United States. But in the United States they are not very particular about the quantity of noxious weed seeds there is in the oats, and I know some grain merchants of Winnipeg have made a business of putting seed in among the oats and sending it to the United States. When it comes to cheap food, it can be practised to a greater extent. Some of the men have made a lot of money by getting the screenings from elevators and selling it to the United States as feed oats.

Hon. Mr. YOUNG.

Hon. Mr. DAVIS—I do not see the difficulty that presents itself to some members of the Committee. There are so many classes of oats; barley, wheat and all the rest of the stuff my hon. friend talks about will come under the heading of seeds. They grind up all the seed, and it is sold for chop, and some of it makes very good feed.

Hon. Mr. WATSON—Some of it is no good.

Hon. Mr. DAVIS—If you force the parties who manufacture that chop to put on the outside the brand saying 'This is a mixture of oats, etc.,' that will cover it.

Hon. Mr. WATSON—What percentage?

Hon. Mr. DAVIS—You might show what percentage it would be.

Hon. Mr. CURRY.—Would mill food not do it?

Hon. Mr. WATSON—If you say 'food composed of commercial grain' it would answer.

Hon. Mr. LOUGHEED—May I point out, as has been pointed out to me by the hon. gentleman from Killarney, that that cannot possibly arise. Clause 149A reads as follows:

> 149A In this part, 'feed' means and includes the feeds or mixed means or other feeding products made from the entire grains of wheat, rye, barley, oats, Indian corn, buckwheat, or flaxseed or other feeding stuffs, and the bran and middlings from wheat, rye, oats, peas, Indian corn, buckwheat, flax or sugar beet.

This clause gives the definition of food. All that we impose upon the dealer is that there shall be stamped upon the container which of these enter into the food, whether it be peas, wheat, rye, barley or oats, or a composition of them all. It is largely experimental. This is the first time we have had any legislation touching the question of feed of this character, and I have no doubt that after the law is set in motion experience may dictate possible improvements upon it. However, this session we thought that by the adoption of this law we might insure to the public getting a better class of feed than otherwise.

Hon. Mr. WATSON—If you eliminate from clause 149A the word 'feeding stuff' it would make it all right. What is feeding stuff? Anything an animal may eat?

Hon. Mr. DAVIS—Do you propose not

to allow them to sell anything taken from elevators as feed?

Hon. Mr. LOUGHEED—Oh, no.

Hon. Mr. DAVIS—If you cut out the word 'feeding stuff' you will then confine them to commercial grain. What are you going to do about this other stuff?

Hon. Mr. LOUGHEED—They will have to mark on the bag that they form part of the contents.

Hon. Mr. DAVIS—My hon. friend suggested that they might put in there, one, or three per cent of oats, and forty or fifty per cent of tailings or seed, and by marking on the sacks that this contains wheat, oats and seeds, there would not be any protection to the public, because you would not force them to put on the bag what was in it. If you leave out feeding stuff, there would be no doubt about it.

Hon. Mr. LOUGHEED—Would it not preclude other feeds being sold?

Hon. Mr. POWER—Yes.

Hon. Mr. LOUGHEED—If it were quite evident that something was being sold for food, which was not food, the vendor would be liable to a penalty.

Hon. Mr. WATSON—You have a regular standard of grades of wheat, oats and barley, and your other food would be half-grade stuff and should be marked half-grade.

Hon. Mr. LOUGHEED—It might not be entirely half-grade.

Hon. Mr. WATSON—You have all the other grades included in your first inspection. You have all those things separate, and they come under the Inspection Act, and printed as such.

Hon. Mr. DAVIS—You have to make provision for seeds, because the largest portion of the feed that is sold in our country is the seeds that are grown up mixed with the half-grade grain, and if you did anything to prevent them selling that, it would be serious.

Hon. Mr. POWER—Is it necessary to go into such particulars with respect to seed? As I understand, at the bottom of this page subclause (b) says that it shall be marked with the brand, weight and contents of the bag, sack or package. If you have to brand 'feed' on the bag, is it not sufficient?

Hon. Mr. WATSON—And there is more fraud in feed than any other article probably on the market. As our Chairman remarked the other day, feed was sold in his county that was practically worthless. Around a mill or elevator practically everything is run in as feed, all sorts of noxious weed seeds, some of it probably good feed for an animal, but others of no use at all, except for weight and sale. My learned friend from Killarney says that beans and peas are not mentioned here, but if you had commercial grading you would eliminate the noxious weed seeds, and they would be branded as half-grade stuff.

Hon. Mr. LOUGHEED—I would suggest to the House the propriety of trying it for this coming year. It is a considerable stride in the right direction, and if it was found next year not to cover what we have in view, we will make further amendments.

The clause was adopted.

On 164-b:

164B The provisions of sections 164 and 164A of this Act shall not apply—

(a) when flour, meal, rolled oats, rolled wheat or feed is, in the presence of the purchaser, weighed and put into the barrel, half-barrel, bag, sack, or other package; nor—

(b) when any of those articles is sold for export out of Canada, if the purchaser requests that the marks, or any mark, required by the said sections be not put upon the barrel, half-barrel, bag, sack or other package.

Hon. Mr. LOUGHEED—This clause was allowed to stand. It was pointed out it might be subject to abuse, but according to experience it is a valuable clause. I propose to add the word 'package' in subclause (a) the following:

In quantities not to exceed 200 pounds at any one time.

That permits a farmer to go into a mill.

Hon. Mr. WATSON—That is a small quantity.

Hon. Mr. LOUGHEED—I will make it 500 pounds.

Hon. Mr. CURRY—I think it should be made a misdemeanour to sell seeds unless they are ground. We get so much seed in the land, and do not know until it comes up——

Hon. Mr. LOUGHEED—This Bill does not deal with that.

Hon. Mr. SMITH—I suggest that 500 pounds is too small.

Hon. Mr. YOUNG—The hon. leader is making a serious mistake by placing a limit to it.

Hon. Mr. LOUGHEED—I am willing to bring it up to the limit.

Hon. Mr. YOUNG—Hon. gentlemen will see the inconvenience of trying to arrive at a maximum. A farmer living at a distance from a mill this particular time of year, will go into a mill and get supplies for the whole of the spring work. That may be flour, feed and other things. Give him all the elbow room he requires.

Hon. Mr. DAVIS—It is only a difference in the sack.

Hon. Mr. YOUNG—The man is standing right there alongside of the scales, and sees the whole transaction. He is satisfied before he leaves with what he has purchased. Do not go into details like that or you get into trouble from the very start. If there is going to be any crookedness a man is no safer under one plan than under the other.

Hon. Mr. DAVIS—Say a man wants to buy two or three sacks of feed; the only object is to allow him to use his own sacks. If he buys anything over a thousand pounds he takes the feed in sacks. It would not pay him to take the feed out of one sack and put it into another. It is only a matter of bringing sacks.

Hon. Mr. YOUNG—My hon. friend is endeavouring to impress us with the idea that if a man comes to a country mill to purchase feed he finds it stored in sacks. That is not the case. Feed is kept in bulk and when sold is put into the farmer's bags.

Hon. Mr. SMITH—I do not see what objection there can be to the clause as it stands, and I do not see what fraud can be perpetrated. Any person purchasing feed at a mill can see it measured, but I do not see how it can be taken out and sold as bags outside, because under this Act the packages must be marked.

Hon. Mr. DAVIS—Will this clause prevent any person going in and buying and getting packed up whole lot of feed without having brands on the packages and taking it out and putting another label on it.

Hon. Mr. SMITH—I do not see why anybody could not go to a mill and buy what amount he liked, but immediately he takes it out of the mill and offers it for sale he must have it stamped on the bag.

Hon. Mr. POWER—When this matter was up before the leader of the Government saw the objection to this paragraph (a) in its present shape, especially as it would lead, as the hon. gentleman from Prince Albert said, to the possibility of fraud. This article might be sent abroad even though the original purchaser was present if there were no marks or brands on the packages. Fraud might be perpetrated elsewhere—if the goods are exported, for instance. The suggestion of the leader of the House is a good one, that you fix a limit which is not likely to be exceeded by any ordinary farmer. I understand the leader to say that he would be willing to fix a limit of 2,000 lbs?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. POWER—No farmer is likely to require to take away more than that at a time.

Hon. Mr. SMITH—A farmer never goes to get feed without bringing home more than a ton. Why should a man be restricted to buy new bags every time he buys feed for his stock? Many farmers in Ontario have enough cattle to use up a carload of feed, and if they have to get a new set of bags every time they buy a carload it would be a great hardship.

Hon. Mr. DAVIS—In the majority of the little mills we have been discussing here, if a farmer takes a kind of gunny sack that holds four bushels of oats, they have not much value, and he can always trade them at the mill and get sacks already filled. But if you are going to allow any man to take a barrel and carry stuff out and put on the package some high flowing name with a stencil, it will give the country a black eye.

Hon. Mr. SMITH—If a man takes that out of a mill and attempts to put any high-faluting name on it, and not mark it as provided in this Act, he comes under the penalties of the Act. He cannot take it out of the mill and sell it.

Hon. Mr. LOUGHEED—No, the clause exempts him, 164 and 164(a):—that is to say they would not apply to such a case as that. It is for that reason we propose the restriction.

Hon. Mr. SMITH—That is quite right, it does not apply when a man goes in the mill; it does not apply when it is measured out in presence of the purchaser.

Hon. Mr. YOUNG—Clause 15 of the present Act reads thus:

15. The said Act is amended by inserting the following section immediately after section 175:

175A. Every person who sells, offers for sale, or has in his possession for sale, any bag, sack or similar package of flour, meal, rolled oats, rolled wheat or feed, which is not marked in accordance with the requirements of section 164A of this Act, shall be liable, etc.

That is the suggestion my hon. friend makes.

Hon. Mr. LOUGHEED—We except clause 164(a).

Hon. Mr. WATSON—To overcome the difficulties expressed by the hon. member from Prince Albert I suggest that we insert after the word 'purchaser' in line 6, the words 'and for his own use.' That would eliminate all the difficulties.

Hon. Mr. SMITH—I would suggest 'In the presence of the purchaser or his agent.'

Hon. Mr. YOUNG—The suggested amendment looks all right. How is a person to protect himself? He must have the affidavit or a bond from the man who buys that it is for his own use.

Hon. Mr. DERBYSHIRE—No; if he is a liar we cannot help it.

Hon. Mr. LOUGHEED—If there is a representation made to the miller, that removes any responsibility on his part.

Hon. Mr. YOUNG—I think that clause 15 protects you amply.

Hon. Mr. LOUGHEED—No, I don't think it would, because we except the operation of 164(a) by this clause, and section 15 deals with 164(a).

Hon. Mr. YOUNG—You are dealing now with 164(a).

Hon. Mr. LOUGHEED—No, we are dealing with 164(b).

Hon. Mr. YOUNG—Would you not make 164(a) apply as well as 164(b)?

Hon. Mr. LOUGHEED—No, because clause 15 only deals with persons coming under 164(a). Such persons as come under 164(b) would not come under 164(a); we except them therefrom.

Hon. Mr. YOUNG—If clause 15 was made to apply—that is, that he should take the stuff home, and that if he would go to sell it he would come under clause 15—you would have the very object covered that these hon. gentlemen are suggesting.

Hon. Mr. LOUGHEED—I think there is a more simple way of dealing with it; that is to say a farmer can go into a mill and buy for his own use all the feed he likes.

Clause adopted as amended.

Hon. Mr. LOUGHEED—Sub-clause (b) of 164B stands as it is.

(b) when any of those articles is sold for export out of Canada, if the purchaser requests that the marks, or any mark, required by the said sections be put upon the barrel, half-barrel, bag, sack or other package.

The deputy minister says it is very essential that that should be left, for this reason, that where flour is sold for export to foreign countries, it would be unreasonable to say that that flour should be subjected to all the requirements of the Act respecting similar property sold in Canada.

Hon. Mr. POWER—I must say that the hon. gentleman does not convince me. I think the thing really works just the other way. For the sake of the reputation of the flour and other products of grain, we should see that the articles which we export are as far as possible guaranteed. Now, why should you treat the products of the mills differently from the products of the fruit farms? You take the greatest care to provide that fruit shall be carefully inspected, that the barrels shall be branded with the exact quality of the fruit, and all that with the view of maintaining the reputation of Canadian fruit abroad. When it comes to Canadian flour or wheat why should we not take the same care?

Hon. Mr. LOUGHEED—For this reason we do not mix fruit; we do not blend fruit.

Hon. Mr. POWER—We do not blend the grain; it is blended in the United States.

Hon. Mr. LOUGHEED—That is the reason that it should be put up in packages without restrictions; without requiring that they should stamp upon the bag or package the quality or brand of the article. That is to say, there is an established practice among the millers, and especially of the United States, and also of other foreign countries, when flour reaches its point of destination it is blended with some of the softer products of other countries, and then that blend is exported to South America and elsewhere. This, for instance, was put in a Bill a couple of sessions ago at the instance of the late Senator Campbell, who pointed out that he and other Ontario millers shipped flour to New York merchants, and,

after blending the same with their softer products, exported the same to South America and elsewhere.

Hon. Mr. POWER—You do not blend flour.

Hon. Mr. LOUGHEED—Why certainly you blend flour.

Hon. Mr. Young—I would like to ask what control you have over any brand the moment it leaves our own borders? They can do what they like with it.

Hon. Mr. DAVIS—You should force them to not use any Canadian brand on it.

Hon. Mr. DERBYSHIRE—No, you can not.

Hon. Mr. DAVIS—If they brand them as Canadian flour and stuff it with all sorts of stuff, you are getting a bad reputation.

Hon. Mr. POWER—I must say that I cannot understand the sympathy which the hon. gentleman shows for the people in the United States who blend flour and wheat. I do not think it is our duty to consider them particularly.

Hon. Mr. LOUGHEED—We cannot enforce this law in a foreign country. Immediately a miller manufactures a product for exportation it goes beyond our jurisdiction and the purchasers do what they choose with it.

Hon. Mr. POWER—Is not that true also of fruit and other products? You insist that a barrel of apples shall be inspected and branded with the exact quantity of fruit in the barrel and that fruit is going outside of the country.

Hon. Mr. LOUGHEED—You cannot blend cheese, apples or anything of that kind. But here is an article out of which you make a blend.

Hon. Mr. POWER—But apples are blended. Inferior qualities of apples are mixed in a barrel with apples of a higher quality. The cases are on all fours. Only in this case the hon. gentleman seems to have considerable sympathy for people outside of the country.

Hon. Mr. DAVIS—What is a blend of flour? It occurs after the flour is manufactured, and how do you blend it unless you reduce the quality of the flour. That is what they call blending—they want to reduce the quality of the flour.

Hon. Mr. LOUGHEED—I do not profess to be an expert in this kind of thing, but I understand we make in Canada a strong flour from our hard wheat. The flour manufactured in the United States is made from softer grain. By blending our flour with theirs they have a different product which may be very saleable in another country.

Hon. Mr. POWER—Let the American who does the blending stamp the package in which the blended article is sold anyway he likes.

Hon. Mr. DAVIS—Suppose the barrels are branded with the name of the manufacturer, when it crosses the boundary line and gets into the hands of people there who wish to blend, I do not see how any law we can make can prevent them blending.

Hon. Mr. LOUGHEED—We cannot prevent it.

Hon. Mr. DAVIS—Then what is the use of this legislation?

Hon. Mr. LOUGHEED—We do not want to handicap the Canadian manufacturer. The United States purchasers will use the flour as they please. The people of Canada get the advantage of manufacturing flour for a foreign consumer. Why not manufacture precisely what he wants? Now the branding of those packages with a particular brand, showing quality, etc., which we use for the protection of our own consumers, should not influence us in making provision for selling to a foreign consumer. If the foreign consumer does not want to be protected, why should we try to protect him?

Hon. Mr. DAVIS—The hon. gentleman has not convinced me.

Hon. Mr. LOUGHEED—It is one of the disappointing things in my life that I never can convince the hon. gentleman from Prince Albert.

The clause was adopted.

Hon. Mr. TAYLOR, from the committee, reported the Bill with amendments, which were concurred in.

BILLS INTRODUCED.

Bill (E-2), An Act for the relief of Henry Elmer Bicknell.—Hon. Mr. Derbyshire.

Bill (21), An Act to amend the law relating to merchants shipping with a view to enable certain conventions to be carried into effect.—Hon. Mr. Lougheed.

Bill (25), An Act respecting the Manitoba

and Northwestern Railway Company of Canada.—Hon. Mr. Watson.

Bill (56), An Act respecting the Alberta Central Railway Company.—Hon. Mr. De Veber.

Bill (74), An Act respecting the Central Ontario Railway.—Hon. Mr. Derbyshire.

Bill (81), An Act to incorporate the Canadian Press Association.—Hon. Mr. Jaffray.

Bill (86), An Act to incorporate the Algonquin Railway Company.—Hon. Mr. De Veber.

Bill (88), An Act respecting the London and Lake Erie Railway and Transportation Company.—Hon. Mr. Kerr.

Bill (94), An Act respecting Interurban Company, Limited, and to change its name to the Rio Janeiro and Sao Paulo Telephone Company.—Hon. Mr. Talbot.

Bill (35), An Act respecting the High River, Saskatchewan and Hudson Bay Railway Company.—Hon. Mr. De Veber.

Bill (104), An Act respecting the Harbour of North Sydney in Nova Scotia.—Hon. Mr. Lougheed.

Bill (111), An Act to amend the Civil Service Insurance Act.—Hon. Mr. Lougheed.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

Wednesday, March 25, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

VESSELS TO PORT NELSON.

INQUIRY.

Hon. Mr. CASGRAIN inquired:

1. How many vessels were sent last year by the Government to Port Nelson?
2. What was the tonnage of each?
3. What were the names of these vessels?
4. Were they Canadian or American bottoms?
5. How many tons did each vessel land at Port Nelson?
6. What was the price per ton for such freight?
7. Were the vessels chartered by day or how?
8. Were bonuses paid besides per diem allowance?
9. What amount was paid to each vessel?
10. Were any of these vessels lost?
11. Is the Government responsible for the loss of these vessels, if any?
12. What is the total amount paid for the service of all these vessels to the 31st December, 1913?

Hon. Mr. LOUGHEED—The answers to the hon. gentleman's questions are as follows:

1. Six.

2. Cearense, tonnage 1,790 net register; Alcazar, tonnage 2,020 net register; Bonaventure, tonnage 467 net register; Bellaventure, tonnage 467 net register; Sindbad, tonnage 539 net register; Alette, tonnage 1,937 net register. Note: Besides the above, a small tug the Kathleen, of about 57 net tons, and an auxiliary schooner, the Neophyte of about 200 gross tons, were purchased last spring and taken in tow to Port Nelson in July last. These two craft did not carry any cargo and are used at Port Nelson for towing and lightering purposes. SS. Boethic, tonnage 1,140 registered.

3. Answered by No. 2.

4. All the above vessels were British bottoms.

5. Alcazar, 275,050 feet hard pine; Bonaventure, 1,500 gross tons, two trips; Bellaventure, 1,000 gross tons, two trips; Sindbad, 1,100 gross tons, two trips; landed at Port Nelson 1,593¼ tons; delivered to C.G.S. Acadia 160 tons.

6. Bonaventure, chartered at a cost of $5,500 per month; Bellaventure, chartered at a cost of $5,500 per month; Sindbad, chartered at a cost of $4,500 per month; Cearense, chartered at a cost of $20 per M.F.B.M. lumber, $10 per ton for coal, $15 per ton for general cargo; Alcazar, chartered at a cost of $25 per M.F.B.M. lumber; Alette, chartered at a cost of $25 per M.F.B.M. lumber, $50 per cubic ton on two sectional steel scows.

7. Answered by No. 6.

8. No.

9. Cearense, $17,385.40; Bonaventure, $22,846.48; Alcazar, $22,437.50, freight charges, $9,000 demurrage; Bellaventure, $22,876.52; Sindbad, $13,390.90; Alette, $59,000.

10. Cearense grounded 14 miles from Port Nelson; Alette beached 3 miles from Port Nelson.

11. No.

12. $166,936.80.

HAMILTON DIVORCE CASE.

MOTION DROPPED.

The Order of the Day being called:

By the Hon. Mr. KIRCHHOFFER:

March 18—That he will move that the proceeding had to-day, on the Fourth Report of the Standing Committee on Divorce be considered for the purpose of rescinding the same.

Hon. Mr. KIRCHHOFFER—I move that this Order of the Day be dropped.

Hon. Mr. CLORAN—Does the hon. gentleman drop it for good ?

The SPEAKER—The hon. member drops the motion.

MOTION.

Hon. Mr. KIRCHHOFFER moved:

That the Fourth Report of the Standing Committee on Divorce be placed on the Orders of the Day for the consideration of the Senate to-morrow (Thursday).

Hon. Mr. DAVIS—It is my intention to move an amendment to this motion, but before doing so I desire to say a few words, and for once in my life I intend to compliment my hon. friend the chairman of this committee, because he has, in the last few days, reached a height which I do not think he himself ever thought he would attain. We know that in the centuries that have passed, wonderful progress has been made in science and art, and we know things have actually taken place that were looked upon in years gone by, as being the mere statements of dreamers. Hon. gentlemen who have read Jules Verne's 'Twenty Thousand Leagues Under the Sea,' in which at that early day the author outlined the submarine vessels which we have to-day, will probably come to the conclusion that in Jules Verne's time that author would be considered a dreamer. It is the same thing all along the line with regard to other matters. Any one who would suggest such a thing as an automobile a hundred years ago would have been looked upon as a fit subject for an asylum. The same thing would apply to all modern inventions. Men have been employed for centuries on one wonderful invention which they have sought to bring to a successful issue. Many of these men so employed have ended their days in a madhouse, and others have dropped it, but it rests with the hon. gentleman who comes from that dear little island to which I claim my ancestors belonged——

Hon. Mr. CLORAN—Did they carry a game pouch ?

Hon. Mr. DAVIS—That dear little island which the hon. gentleman who makes this motion claims as the home of his ancestors, not only to bring fame to himself, but to that little island which gave his and my ancestors birth—I mean the little Emerald Isle. My hon. friend emigrated from Ireland and settled on the prairie in a city that sprung up like a mushroom, and not only is he going to bring fame to the country from which his people came, but he will also bring fame to that little town, growing on the prairie, called Brandon. My hon. friend has discovered what scientists and clever inventors for years and years have struggled to discover. I refer to that wonderful thing which is known as perpetual motion. My hon. friend has discovered perpetual motion, and he is trying to work it successfully in this House. He has kept this motion going for two or three years. I have read of the man who invented the glazing of crockery, and who was so anxious to bring the invention to a successful issue that he even took the furniture and bed from under himself and wife, and put it into a furnace in the course of his experiments. I do not know that my hon. friend the Chairman of the Divorce Committee has burned any furniture.

Hon. Mr. CLORAN—He is trying to.

Hon. Mr. DAVIS—He is certainly trying to burn it; he is trying to bring this perpetual motion to a successful issue. He has kept this thing going, and I would point out that sometimes the wheel jogged a little bit; it jogged the other day. His friends, in supporting him are not very consistent at times. I thought the other day that I would like to have a little of the glory that is radiating about my hon. friend from Brandon, and I wanted to refer this matter back to the committee, but my hon. friend and the stalwarts that sit around him in this House said that it could not be done, that it could not be referred back, yet the very same day I find those hon. gentlemen moving to refer it back. My motion was to refer it back before the vote of this House should be taken; his motion ignores the vote of this House; he moves to refer it back whether this House has decided or not. I would not think of challenging the judgment of this House after it had once passed on a motion of that kind; when I made my motion the House had not decided at all, and I merely wanted to refer the question back in order to get some evidence. My hon. friend the Chairman of the committee, and the stalwarts around him, said 'No, it cannot be referred back;' and, lo, behold, we have a motion by this same consistent gentleman asking now to have it referred back. Does he tell the hon. members of this House that they were hypnotized; that they did not

know what they were doing; that they were stupid, that there was any undue influence used on the vote of any gentleman of this House to cause him to vote the way he did the other day? He does not tell us that. Does he give a single reason why we should reverse the recent vote of the Senate? No; he simply says, 'I am the party who has carried perpetual motion to a successful issue, and I am going to make the wheel go round whether you like it or not.' That is the position he puts us in. Supposing that his resolution comes up for discussion to-morrow and carries, that he and his stalwarts behind him vote for it; it is within my right, if I am dissatisfied with that vote, to move a similar motion to his afterwards. I do not see why I should not to-morrow be dissatisfied with the vote of this House, if it goes against my convictions; my hon. friend is not satisfied when the vote of this House does not suit his. It all depends on whose ox is gored. Is this House to be made a play-toy, to satisfy the opinions of my hon. friend? I do not think it should be. I have just as good a right to challenge a vote taken in this House as has my hon. friend, and if I question the vote on his perpetual motion, and ask that it be reconsidered, I could give reasons why that vote might be challenged. Supposing I did that, in what position would that put my hon. friend, and his stalwart friends behind him? They would vote for this motion to-day, but they would vote against the same motion if it were moved by somebody else. That is consistency! Consistency, thou are a jewel! This matter has been decided upon three different occasions; surely on the third occasion my hon. friend ought to be satisfied.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. DAVIS—The man on the street is commencing to wonder, and ask himself, 'Why has this hon. gentleman got such a wonderful interest in the case?' People are commencing to talk about it. He is bound to make you take your medicine. He says, 'I am going to force this through this House.'

Hon. Sir MACKENZIE BOWELL—No.

Hon. Mr. DAVIS—Well, he will have a good deal to do when he starts in with a proposition of that kind, and he will be mighty tired when he gets through with it. Two years ago this House voted this matter out; a year ago, on practically the same evidence, it voted it out, but there was some little new evidence and there was a shade of reason for bringing it before the House. This year there was no reason whatever. In its calm deliberation this House defeated that motion a year ago, and it was dead to all intents and purposes. The committee was dead after the House prorogued. There was no committee, and nothing else; but in defiance of the rules of this House my hon. friend brings the question in again and says, 'You people did not know what you were doing last year.' The House, on account of a ruling, to which I did not object, allowed my hon. friend to proceed this year without one title of evidence being taken before that committee. Any person had the right to go down there and cross-examine those witnesses this year, had they been summoned to appear before that committee—and I want to tell my hon. friend that if the committee had followed the proper procedure and had them examined according to law, according to the procedure of this House, I might have gone down and examined them, and I venture to say I would have got a different statement from some of those made last year. However, my hon. friend brought this matter before the House and it was decided here again the other day; all that was possible was done by those lobbyists, and by people who were frightening members from casting their votes by telling them they had no right to take part in this or that. In spite of all those things the vote of the House went against my hon. friend. Now surely he ought to have stopped; when does he intend to stop? If my hon. friend carried this motion to-morrow, I would be within my right in moving to reconsider it, and if he beat me it would be kicked back and forward like a football, until this House would be held up to ridicule from one end of this country to the other.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. DAVIS—It is pretty near time that this thing should stop, and I intend to move an amendment that the word 'Thursday' be eliminated, and that the words 'This day six months' be inserted in its place, so that the motion will read:

That the Fourth Report of the Standing Committee on Divorce be placed on the Orders of the Day for the consideration of the Senate this day six months.

Hon. Mr. CLORAN—It is seldom in the history of Parliament, very seldom, that such a pitiful spectacle has been presented

over a broad expanse of territory like Canada as this which we have before us to-day. Hunting a wild beast to its lair is no comparison whatever to the action of the Divorce Committee and of the Chairman of the Divorce Committee hunting a poor mother, wounded, bleeding from every pore, to her lair at home with her children, hunting her for her lifeblood, for her honour which is more than her lifeblood. The Chairman of the Divorce Committee comes here unauthorized—I use the word deliberately—and for the fourth time calls on Parliament to reverse its decision, of three consecutive years, honourably acquitting a wife and mother. By what right did the Chairman of the Divorce Committee put that notice on the Order Paper? Where did he get his authority? Who authorized him? Was it the petitioner? No, he had not time to communicate. Was it the committee? No, he had no time to assemble the committee and gets its authorization. On his own responsibility he puts a notice of that kind on the Order Paper of Parliament. What does the hon. gentleman take the Senate for? Is he the attorney for the petitioner? Answer the question. If he is not, he is doing it gratis; he is doing it well, and probably better than a paid attorney. Does he act as a lawyer? Does he know that an attorney cannot act without instructions from his client? Does he know that the chairman of a committee of this hon. House cannot act without instructions from the committee of which he is chairman? Where did he get his instructions? From the petitioner? Impossible, because the motion was sneaked in at the last moment when the House was getting empty, after an adverse vote against his report, and put on the Order Paper. He got no sanction from the petitioner, no instruction; he got no sanction from the committee, and still he sits there complacently and brazens the situation out. It puts me in mind of what he told me one day here two years ago on a similar question, probably the same one —who was I that dare face the Chairman of the Divorce Committee? Did not the hon. senator from Victoria know that his grandfather carried his game pouch when he went hunting squirrels in the bogs of Ireland? I remember that very well, and I remember the hon. gentleman threw that in my teeth, thinking it was an insult. I do not take these insults as insults, coming from the quarters they do. According to his own dictation the hon. gentleman is a delightful Irish gentleman, the descendant of a Dutch officer, who came over to Ireland and stole our lands, our churches, our monastries, our abbeys, and the peasant's home; it would be no wonder if my poor grandfather did happen to carry his game pouch. I have tried to find out the real facts of the case, but in Ireland the records of these things are pretty well suppressed, and I have come to the conclusion that probably the statement of the hon. senator for Brandon, that my grandfather carried his game pouch, is correct. I have to admit it for want of evidence to the contrary. Thank God my ancestors left a descendant who is able to take the pouch from him and deliver the game where it belongs. He cannot hunt in Canada the same as he hunted squirrels in Ireland, and he cannot get my grandfather to carry his pouch any more, because he is dead. He cannot get me to carry his game pouch and put a woman in it, as the result of his hunt. There is the position of the Chairman of the Divorce Committee, as compared with my position; I leave it to the country to decide which is more noble or manly. I do not look for his vote nor for the vote of the 17 or 18 stalwarts behind him. I would like some of the 17 hon. members behind him to put a little heart into their judgment in deciding these questions. Think of these 18 stalwarts hunting this poor woman to death after she has been honourably acquitted, by the Parliament of her country, for three consecutive years. Let hon. gentlemen read the pagan history of ancient times, or modern history, and find a parallel case where a woman has been hunted to death by the Parliament of a country for three consecutive years. And here the Chairman of the Divorce Committee asks us to stab her while she is bleeding. Hon. members cannot find a parallel for this. Let hon. gentlemen apply it to themselves. Let us suppose I have a daughter, that she has been honourably acquitted by Parliament of the charges laid against her, and that for the fourth time an appeal is made to deface her character and blacken her life. How many of the stalwarts would vote against me if I asked them to save that daughter, especially after three acquittals? Put one of their own daughters in the dock and how many of the 18 would vote to destroy the fame, the name, and the honour of that daughter? Not one. Why should these 18 stalwarts trample on the heart of the bleeding woman who is living only for her children, who for the past five years has been

earning her honest living in the metropolis of the continent in the United States. Look at it from nature's point of view, and not from a point of view of divorce—because it is no longer a question of divorce but of downright persecution. There have been martyrs in the past; girls and women have been thrown to the lions in the den of the amphitheatre; women have been burned to death at the stake. Joan of Arc was put on a funeral pyre and burned to death. I venture to say that these hon. gentlemen have done worse than the ancient barbarians—worse than the priests and the bishops of France who burned Joan of Arc—having that woman coming here on her knees praying for the protection of her children. If that is not martyrdom I should like to know what martyrdom is. When people are burned at the stake they only suffer a few minutes and life becomes extinct, but this poor woman is kept on the grill and turned over from side to side. Is there no heart in the eighteen stalwarts? Can hon. gentlemen not see her there grilling under their votes, and all for the sake of her beloved children. She has a daughter nineteen years old, and I am informed that she is one of the most beautiful girls on the continent of America; she is living for that daughter and her other children. Yet hon. members want to hand down to that girl the shame of being the daughter of a disreputable woman—and this after three honourable acquitals. It is hard to believe. The Chairman of the Divorce Committee asks us to vote on a report containing the evidence of last year, and the year before. The chairman is a lawyer. Does he fully appreciate the proposition he makes to Parliament and the country? If he does not, he should resign and return home. He asks the final court of appeal to reverse its judgment on the evidence given a year ago. Would the hon. gentleman dare go before the Privy Council of England and ask the Lords of the Privy Council to reverse a decision on a musty document? No. his place would be in the tower. We are opposed to this motion for reconsideration on the grounds so well pointed out by the hon. gentleman from Prince Albert that there is no new evidence and no new investigation. The chairman dare not open the investigation afresh. There is only one witness against the honour of Mrs. Hamilton, the daughter of a leading citizen of Ottawa for fifty years, who was the personal medical attendant of Sir John Macdonald, belonging to one of the finest families in Canada. I shall take the word of Mrs. Hamilton every time in preference to that of a half-breed servant. That is the difference between the chairman of the committee and myself. They take the word of a half-breed, a squaw, against the word of a lady. There is no other evidence, except that of the attorney in the case, who made the most valuable document disappear, or allowed it to disappear, and who is now Solicitor General of Canada. The only evidence for the petitioner is given by the half-breed servant in that house, who refused to leave when she was ordered by Mrs. Hamilton, and who said: 'You cannot put me out, unless Mr. Hamilton tells me to leave.' That is the thing that the Divorce Committee believes in preference to a lady like Mrs. Hamilton, the daughter of a family honourably known in this Dominion. A gentleman said to me: 'They may thank their stars that Dr. Church is not alive. Why, he would shoot them. He would not allow his daughter's honour to be trailed in the dirt.' If the investigation is to be reopened, what will happen? I do not take shelter behind my parliamentary privilege—I am prepared to state outside of Parliament, on the street or in the press, that for two years this half-breed servant was kept by the petitioner in his house under the guise of a servant—not for the past six months, but for two years before that. My information is up to about six months ago. For two years this half-breed has harboured men in the petitioner's house. Does the chairman of the committee understand what I am saying? She is nothing but a strumpet of the worst kind, harbouring men until one, two, three and four o'clock in the morning at Mr. Hamilton's house in Quebec. What do you think of that—giving Mr. Hamilton's best wine, cake and chickens to drunkards, loafers and prostitutes? Does the chairman hear that? Remember I am making the statement without sheltering or shielding myself behind the privilege of Parliament. Is the hon. gentleman prepared to reopen the investigation? Is he prepared to accept the fact that this half-breed furnished money to men of that character, and kept them? Perhaps I am giving him too much information, but if he knows nothing, why does he act? I am acting because I know; because I feel; because I think—three reasons. What has he to say; what has the committee to say? Are they asking us to plunge the knife into the heart of a woman under these circumstances? Shame! Oh, you

eighteen, over there, break up your ranks and give the poor woman, the mother of four children, a woman who has been hunted to her lair, a chance. If you do not give her a chance, give her children a chance. An adverse vote to hurl that woman down may come down on your families with tremendous force. Beware! It takes generations for the sins of the father to be visited on the children. It took three generations for me to vindicate my ancestor against the charge of the hon. gentleman from Brandon. Beware of a vote against a poor woman. Break up that solid eighteen. Be men. Our votes on this side are cast through the conscientious conviction that this woman is entitled to what Parliament has given her for three years consecutively.

Now I shall make a very serious statement. I thoroughly dissent from and repudiate the attitude assumed by the hon. member from De Salaberry (Hon. Mr. Beique) in regard to this question of divorce. I repudiate the attitude of my hon. friend from Grandville (Hon. Mr. Choquette) who finds it easy to vote for the recommendation of the committee, and then reserves to himself the right to vote against this recommendation when the Bill comes up. I repudiate most distinctly the declaration made by the hon. gentleman from Ottawa (Hon. Mr. Belcourt), and I do so on behalf of my faith and the church to which I belong—and I know whereof I speak. When the hon. gentleman from Ottawa declared that a Catholic was incompetent to judge evidence in a divorce case, he made a declaration that is derogatory to an honest citizen, and especially to a Catholic. I was cradled in the Catholic doctrine. I was cradled at the knees of cardinals, the most illustrious that France produced in a hundred or two hundred years—Cardinal Hebert, of Paris, and Cardinal Richard. I have been for three years their personal attendant, and know what the Catholic doctrine is. I have been trained at the foot of the Papal throne under Pope Pius IX., the most illustrious Pope that Christianity has ever had since the days of Peter. He is the only one that outlived the time of Peter on the Papal throne, so when I talk I know whereof I speak; and I learned this the Church of Rome does not interfere in any matters outside of the Ten Commandments and the Doctrine of Christ; all other subjects that come under or within the domain of the public representative bodies of the different nations of the world are left supreme within these bodies. Rome has nothing to do with them, because Rome has learned to put in practice Christ's declaration in regard to the administration of the affairs of this world—"Give unto Cæsar what belong to Cæsar, and give unto God what belongs to God." These are the principles which I imbibed at the feet of cardinals and the Pope. There is no man who can stand on the floor of this House or on the hustings of this country and tell me that I am subservient in matters of state, in matters of politics, in matters of public weal, to any other power than that of the popular will. I take my religion from Rome, but I take my politics from home. That is my stand, and I wish our good friends—they will be good friends in six years from this—will take heed of these things and not be sending the Pope to hell every time they have a chance to say so. I am in receipt of correspondence from a gentleman of high education and high culture, but unfortunately he did not have the courage to put his signature to the letter. That letter is well written, and could not be done by any ordinary mortal, and he winds up a very flattering letter in regard to Sir Edward Carson and such matters, with this declaration: 'To hell with the Pope and God save the King.' The letter is from Toronto. Now, I would like our Orange friends to understand once and for all—that we are under no dictation, as this gentleman put it, from the Papacy, from the Pope, or from any one. Why, your humble servant—notwithstanding being a staunch and loyal Catholic—has been denounced more than any man from the altars of his own church. I have been openly and by name denounced by the highest clergy in the Dominion of Canada because I was a Liberal. The poor Archbishop of Ottawa, now dead and gone, wrote a pastoral letter and sent it to thirteen parish priests in the county of Prescott declaring it would be a mortal sin were any elector in Prescott county to vote for me. Just imagine the effect of that on a densely Catholic population, and a thoroughly sincere one. I am not talking out of the record, because some of his own parish priests and among the canons, his advisers, declined to read the pastoral from their pulpits. I have been denounced by a parish priest whose name will charm the ear of the ex-Grand Master of the Orange Lodge, one of his dearest and best friends, one of the noblest and purest priests that ever stepped to the altar—but a Tory. Does Sir

Mackenzie Bowell remember Father Dow? Was he not a good friend of his, and of Sir John Macdonald, and of the late Hon. J. J. Curran? Did he not control all the Irish Catholic vote? Ah, you do remember that! That was in 1886 and 1887, when I was a candidate in Montreal. He was a good friend of yours, Sir Mackenzie, and you never went to Montreal, without going and calling on Father Dow.

Hon. Sir MACKENZIE BOWELL—Oh yes, I did.

Hon. Mr. CLORAN—Very seldom, without calling on him—you and Curran; three pillars of the State. You must admit that it is the fact, because I was there, I was an altar boy at the time, and I know all about it.

Hon. Sir MACKENZIE BOWELL—No, you don't.

Hon. Mr. CLORAN—I had to put up with denunciations by a most esteemed friend of mine, a gentleman, a parish priest of St. Joseph's, six feet four tall; he went out of his way to come to St. Anthony's parish and denounced me openly from the altar.

Hon. Sir MACKENZIE BOWELL—Sensible for once.

Hon. Mr. CLORAN—They are all dead; I am still alive; and the most of those who denounced me in the Senate, seven, eight, and ten years ago, are also dead. I am still alive; I am not bragging of it, but God help the man that hits me wrongfully, that is all I have got to say; I shall take care of myself whether it takes one, two, or three generations; and if I were not able to answer the senator from Brandon, Chairman of the Divorce Committee, Senator Kirchhoffer, I have boys left yet who will be able to answer him—if it takes four, or six, or seven generations. Now, gentlemen, there is the position of the divorce case, and my position. I am completely independent in regard to these matters. As I have already pointed out, I never took part in a divorce case except on the merits of the evidence; I judge it from a legal point of view. I am a competent witness—notwithstanding what the hon. gentleman from Ottawa has said—in all cases that come before this hon. House, and I feel myself able to weigh evidence. My life has been passed in weighing, examining and revising evidence in the greatest criminal trials that have taken place in this country, from murder down, and never have I as a Crown Prosecutor asked the jury to condemn a man simply because he was in the dock, as some prosecutors do, owing to zeal. If I had the least doubt in my mind as to a man's guilt, I was man enough, notwithstanding my position as officer of the Crown, to tell the jury that there was no case. That was my attitude when I was only a boy, when I was Crown Prosecutor of the city of Montreal thirty years ago, a district of nearly a million people. I stand here merely for justice. I stand here pleading for pity and mercy. Shall I be obliged to use another word before this hon. House? It is almost an insufferable position to be in; how humiliating it is to plead with one's own colleagues on the same plane, for pity and mercy on behalf of a suffering woman, and on behalf of children clinging to her. Where are the hearts of hon. gentlemen? Let their hearts bleed with hers, and let them cast their vote in the stain of that blood, and not according to the lobbying that has been going on here for the past few weeks.

The Senate divided on the amendment, which was adopted:

CONTENTS.

Hon. Messieurs

Speaker,	Roche,
Poirier,	Farrell,
Jaffray,	Watson,
Legris,	Yeo,
Bostock,	Davis,
Costigan,	Riley,
Deboucherville,	Beith,
DeVeber,	Montplaisir,
Young,	Dessules,
Power,	Talbot,
Thompson,	Cloran,
Coffey,	Boyer,
Douglas,	Forget—27.
Derbyshire,	

NON-CONTENTS.

Hon. Messieurs

Lougheed,	McLaren,
Kirchhoffer,	Taylor,
Bowell (Sir Mackenzie),	Jones (Sir Lyman Melville),
Dennis,	Curry,
Owens,	Corby,
Thorne,	Smith,
Hope,	McKay (Cape Breton),
Mitchell,	Frost,
MacKeen,	Daniel,
Baird,	Edwards,
Ross (Middleton),	Mackay (Alma),
Gordon,	Choquette—24.

The SPEAKER—The question is now on the motion, as amended.

Several hon. GENTLEMEN—The same division reversed.

Hon. Mr. EDWARDS—No, let us take the vote.

Hon. Mr. LOUGHEED—Take down the names.

Hon. Mr. CLORAN—But the motion has been carried.

The SPEAKER—The question now is that the fourth report of the Standing Committee on Divorce be placed on the Orders of the Day for consideration of this Senate this day six months.

Hon. Mr. CLORAN—But the Senate has decided that the report is not to be taken into consideration until this day six months.

The SPEAKER—I am putting the motion as amended.

The motion was adopted by the following vote:

CONTENTS.

Hon. Messieurs

Speaker,	Young,
Legris,	Watson,
Poirier,	Yeo,
Jaffray,	Davis,
Bostock,	Riley,
Power,	Beith,
Thompson,	Montplasir,
Coffey,	Dessaulles,
Douglas,	DeBoucherville,
Derbyshire,	Talbot,
Roche,	Cloran,
Farrell,	Boyer,
Costigan,	Forget—27.
DeVeber,	

NON-CONTENTS.

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Lougheed,	McLaren,
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Bowell (Sir Mackenzie),	Jones (Sir Lyman Melville),
Dennis,	Curry,
Owens,	Smith,
Thorne,	McKay (Cape Breton),
Pope,	Frost,
Mitchell,	Daniel,
MacKeen,	Edwards,
Baird,	Mackay (Alma),
Ross (Middleton),	Choquette—23.
Gordon,	

Hon. Mr. POIRIER—I wish to state that I voted under protest. The amendment putting off the main motion for six months having been carried, in my opinion the main motion cannot be considered for six months. Therefore the vote on the main motion is irregular.

The SPEAKER.—The hon. gentleman is mistaken. The amendment was not to strike out all the words in the main motion, but only the last part, and to insert certain words so that the main motion must now be put as amended.

Hon. Mr. EDWARDS.

THIRD READINGS.

Bill (W), An Act for the relief of Walter James Liscombe.—Hon. Mr. Derbyshire.

Bill (X), An Act for the relief of Ethel Cora Robinson.—Hon. Mr. Derbyshire.

Bill (Y), An Act for the relief of George Fullerton Forsythe.—Hon. Mr. Talbot.

Bill (J), An Act to amend The Inspection and Sale Act.—Hon. Mr. Lougheed.

Bill (L), An Act respecting a certain patent of Rudolph Goldschmidt.—Hon. Mr. Belcourt.

Bill (K), An Act respecting a certain patent of Thomas Leopold Willson.—Hon. Mr. Belcourt.

Bill (48), An Act to incorporate The Peace River Tramway and Navigation Company.—Hon. Mr. Bostock.

CRIMINAL CODE AMENDMENT BILL.

DEBATE RESUMED.

The Order of the Day being called:

Resuming the adjourned debate on the motion for the second reading (Bill D), An Act to amend the Criminal Code.

Hon. Mr. CLORAN—As the hon. senator from Grandville has brought this matter to the attention of Parliament, it is my intention at the present moment to leave it in his hands, to reply to the deliverance of our young hon. friend from Halifax, Senator Dennis. I moved the adjournment on two occasions out of sympathy with the hon. senator who has been so sorely afflicted in his family relations. It was my intention as I had promised, to take his scalp as well off his head as I could, but I do not feel under the circumstances that I should attempt the operation, as there would be very little of the scalp left to get off. It reads as a clever deliverance from a literary point of view, a schoolboy point of view; it was well written, well gotten up, well read; but its contents were something like the articles published in the Halifax Herald, of which he is the owner, and proprietor. They are always well written, but oh, the amount of villainy in the writing—what amount of slander, what amount of calumny, what vituperation, under the clever writing. I digested the speech, and in accordance and agreement with my hon. friend from Grandville (Hon. Mr. Choquette), I came to the conclusion that the deliverance in question was more or less of a joke. The more I heard it read to me—because I cannot see to read very well—the more I thought I was on the rocky shore of Nova Scotia. My daughter told

me she was reading 'Hansard,' but I replied, 'No, my child, you are not reading 'Hansard'; that is the Halifax Herald you are reading.' And finally, when I woke up, I found truly it was the 'Hansard,' but I would have almost sworn, and I would swear, to-day, if I did not see it in the 'Hansard,' that it was a true editorial article from the Halifax Herald. I do not want to have the hon. senator think that I deride his ability—in fact I dread his ability—but he is putting it to such nauseous use. There is not a public man on this side of the House, or throughout the country, whom his paper has not villified, calumniated, and slandered—and always with morality. The hon. gentleman thinks that morality is bound up in the sixth commandment. Widen your knowledge senator! Morality consists in observing the whole ten commandments; don't slander, don't lie; don't steal, be obedient to your parents; keep the Sabbath; don't blaspheme, don't go for another man's wife—the same as you tried to give another man the right to go for another man's wife. That is morality. And does the Halifax Herald keep up the standard of the ten commandments? Not as far as I have read.

Hon. Mr. DAVIS—They have not a copy of the ten commandments in the office.

Hon. Mr. CLORAN—They keep the eleventh. What pays goes, and the junior member for Halifax has evidently profited by the sale of that kind of literature. But I have said that I do not intend to take his scalp off to-day. I shall leave that to my hon. friend the senator from Grandville, who has proposed the measure, and who has brought it in with the sanction of the best thinking people of the country. The whole bookselling association of the Dominion is behind him in this matter, so under the circumstances I shall reserve any further remarks I have to make until the third reading, and allow my hon. friend the senator from Grandville, the floor; I have no doubt he will do the question justice.

Hon. Mr. CHOQUETTE—I was hoping that some of the hon. senators would have something to say on this measure before the second reading was proposed, and, I hope, adopted. I will now say a few words in reply to what has been said by the honourable the junior senator from Halifax. I do not intend to be as severe upon him as my hon. friend who preceded me has been, because his speech has gone abroad, and has been his worst punishment. We have not seen any endorsation of his remarks except by a few weekly papers which have been publishing the same class of literature at times, if not constantly. Naturally the Halifax Herald endorses him, but I am sure that when we heard the speech of the hon. gentleman it did not occur to anybody that it was a speech of the junior senator from Halifax so much as a speech of the editor and proprietor of the Halifax Herald. He made an astute address and put himself in the position of a defendant. I heard two or three hon. gentlemen applaud him as he sat down, but they applauded him not as the senator from Halifax, but as a rather clever lawyer who was defending a bad case. I shall discuss one or two points in his speech which struck me most, in order to show how mistaken he is, and how far he is from expressing the opinion of the people of this country, the majority of whom favor this amendment to the criminal law. It is always better to avoid exaggeration and adhere to common sense, and surely we all admit that my hon. friend is too intelligent not to understand that he has gone far beyond his purpose, and far beyond mine. He began his speech by saying:

> **This Bill proposes to cover with odium the 1,200 newspaper publishers of Canada—and ten times the number of news dealers and booksellers for the manner in which they have conducted their business in the past. It proposes to make criminals of them:**

Further he says:

> **To heap insult and opprobrium on the 1,200 newspaper publishers and many thousands of booksellers and newsdealers of Canada.**

And still further he asks:

> **But who I should like to know who asked for this measure: what public body? Has any one heard of any public agitation or even seen the petition for it?**

Beginning with the first point, I shall read over again what I read at the close of his speech, the letter I received from the secretary of the Dominion Board of the Retail Merchants Association of Canada—from these booksellers that my hon. friend thinks will be condemned as criminals if the Bill comes in force:

> **I have just received a copy of the Bill introduced by you entitled Bill (D) an Act to amend the Criminal Code, and I desire on behalf of the booksellers and stationers section of the Retail Merchants Association of Canada that this Bill meets with the hearty approval of all the honest and respectable booksellers and stationers throughout Canada.**

So these very men whom he undertakes to defend in this House, are the first to repudiate his statements, and to say that the Bill has the hearty approval of the association. From this we may judge of

all the rest. Now he says, who asked for this Bill? I have received dozens, I might say hundreds, of letters from every part of this country, applauding the Bill, expressing the hope that it would become law, and condemning in terms which I should not like to read in this House, the speech of my hon. friend from Halifax.

Hon. Mr. DENNIS—Don't be afraid. Read them:

Hon. Mr. CHOQUETTE—But I shall read one from a gentleman in Halifax, whom the hon. member knows very well, who has been on the bench of the Supreme Court of Halifax, N.S., for twenty-four years. He writes:

Halifax, March 18, 1914.

My Dear Senator,—I desire to thank you most cordially for the effort you made to check the publication of the pictures of those accused of serious crime, and I earnestly hope you will be successful during the passage of your proposed Bill.

He gives a lot of reasons, which are about the same as those found in an article in the Acadian Recorder, Halifax, and he concludes in this way:

I have had over eighteen years experience at the bar. I have been on the bench twenty-four years, and I feel that I am qualified to speak on this subject. May God speed you in this most necessary work is my most earnest wish.

There is a gentleman who has been on the bench for twenty-four years, and this is what he says about this Bill. Part of his letter is referring to my hon. friend, and I should not like to put before the House the expression that he uses, which is a little severe.

Hon. Mr. DENNIS—The hon. gentleman does not know the man personally.

Hon. Mr. CHOQUETTE—I shall also quote from a letter from Mr. Adam Ballantyne, Hamilton, condemning the yellow papers, and praying God that my Bill will become law. So much for the association and the prominent people who have asked for this Bill. Now I will deal with the press. In discussing this question I thought it better to present the view of disinterested par- this House clippings from most of the country, rather than to put forth my own views, but as my hon. friend has made a special point, that there was no demand for the Bill, it is important to put before this House clippings from most of the prominent papers, not only in this country but in the United States. Perhaps that will surprise the hon. gentleman from Halifax, who is praying for the liberty of the press, and who is praying that the booksellers will not become criminals; the clippings are all to the same effect. I shall quote first the Acadian Recorder, a paper published in his own province. I refer to the issue of Saturday, March 14, 1914. This article reads as follows:

A Worthy Move.

The Senate has once more justified its existence by paying serious attention to a practice among newspapers which has become an abuse serious to public morals. Senator Choquette a short time ago introduced a Bill to punish as a crime the publication of pictures of murderers and other criminals, together with their accomplices. Senator Dennis opposed the Bill, considering the practice as 'perfectly proper, legitimate and harmless.'

Senator Choquette showed both sound sense and sound morality in his defence of the Bill. The featuring, the illustrating and the sensationalizing of crimes and those who commit them no matter how repulsive and squalid their character, constitute an offence against morals and justice which only the unfortunate universality of the practice has hitherto prevented any full expression of condemnation. Very few capital crimes have anything whatever about them either heroic or romantic. Practically all of them are merely repulsive exhibitions of drunkenness, and crude beastiality, their common accompaniments being mental or emotional degeneracy. Yet, day after day, newspapers will print the pictures of the murderer, the robber, the fire bug or the assaulter, together with those of the victims, their relatives, and 'his cousins, and his uncles and his aunts.'

The sin of the criminal is between himself and his maker; his crime is between himself and the law. Neither is between him and the newspaper reporter. 'Butchered to make a Roman holiday' was an old Roman method of providing sensation. A whole family circle tortured, held up to obliquy and disgraced, to provide sensational gossip and excitement for the public; such is the modern method. Is it less brutal?

The evil is universal, and it would be to the abounding honour of Canada if the first steps in the correction thereof were taken by a Canadian legislature.

This article shows the spirit which prevailed there, and it proves that in the province of my hon. friend proprietors of papers are in favour of the Bill. I read also from the Republican, of Springfield, Mass., March 16, 1914, as follows:

The liberties of the press have been attacked from many quarters of late, but the most curious proposal has been made in the Canadian Senate by Senator Choquette, who would make it a penal offense for a newspaper to publish pictures of persons accused of crime or their accomplices.

I observe from this that the editor of this paper is between the two opinions, but the spirit of the article is rather in favour of the Bill. The article proceeds:

The immediate inspiration seems to have come from the multitudinous pictures of Thaw and persons concerned in the Thaw case, the exploitation of which is certainly cause for disgust. But as Senator Dennis observed, to

eliminate the pictures would not help so long as the newspapers were free to publish sensational reports which appeal to the morbid even more than the mere portraits of the characters concerned. He went rather far in saying that 'such a law would wrench Canada from the category of civilized nations.' A nation can be thoroughly civilized without printing pictures of murderers in the public prints. But it would be a very absurd and footless law, useless so far as morals are concerned, and a handicap to justice in the occasional cases where the wide diffusion of the likeness of a fugitive makes his escape more difficult. And at times the publication of the portraits of offenders in high places is a powerful instrument for reform; such a law would have made a felon of Thomas Nast for his cartoons attacking Boss Tweed and his gang.

We see that this American paper is in favour of the Bill and of repressing the publication of pictures. I am willing to amend the Bill in committee and to have it prohibit also the publication of the details of crime as well. I sent to the editor of this paper copies of my Bill so that he can see that when it is necessary to publish the pictures of criminals in the interest of justice, he can apply to the court and obtain permission to do so. In that case it would be a lesson against crime. Those who see the picture will say, 'Here is the photograph of a criminal, there is a reward for his capture. The officers of justice are looking for him,' and they will have no sympathy for the man when they see his picture in the paper. Sometimes there is sympathy for a criminal, and people hide him in their houses, but when the pictures are published in the papers by the authority of justice it will be a condemnation of the man, and he will not be regarded as a hero.

We see by these papers, one from Halifax and one from the United States, that they are for the Bill. Now take La Patrie, of Montreal. On the 13th of this month La Patrie had an article entitled 'The Picture of Criminals'—a long article condemning the senator from Halifax for his speech, and condemning him very strongly. The article is as follows:

PORTRAIT OF CRIMINALS.

The Bill presented by the Honourable Senator Choquette, aiming at prohibiting the publication of the portraits of persons accused of a criminal offence, deserved a better fate than the remarks, replete with irony and inexactitude, made by his colleague, the Hon. Mr. Dennis. The latter commits an historical error in stating that, should the Choquette Bill become law, any newspaper proprietor mignt be sentenced to two years imprisonment for having published the portrait of Joan of Arc. The learned Senator forgets that Joan of Arc has been solemnly rehabilitated.

The Choquette Bill has but one fault, that of being of a delicate and difficult application; but its usefulness cannot be denied.

It does not in the least endanger the liberty of the press, liberty which should yield to questions of public interest, and be submitted to the exigencies of national and social defence.

The reporting of crimes, the publication of protraits of criminals, the fuss made about 'cases' have had the effect of inducing to crime many young men desirous of being talked about. There is no doubt about this fact, it has been established and verified, for a number of years, in the great centres of the American continent. Should the day come when, without reducing the publicity necessary to allow the accused all needed guarantees, justice will limit the reporting of criminal affairs, society will be more than it is at present, shielded from jobs put up by persons whom the exploits of Mandrin and Cartouche, and the morbid publicity given to them, has led out of the right path.

It is not an argument to say that the measure supported by Senator Choquette, is not applied in any other country. Methods of social purification never present themselves in the form of international legislation, and if Senator Dennis had studied his subject, without going as far back as Joan of Arc, and without searching into foreign codes, he would have found out that in Canada, in the province of Quebec, the French papers voluntarily, in the public interest, have suppressed the publication of portraits of criminals.

I shall now read an article from La Verité, of Quebec, published last week, under the heading of 'Muzzling the Yellow Papers,' applauding the Bill, and hoping it would become law. The article is as follows:

THE GAG ON YELLOW JOURNALISM.

Hon. Senator Choquette has presented in the Senate a Bill which has our hearty approval, together with all honest and Christian spirited persons.

It is proposed to suppress the publication and advertisement given in the papers to crimes and criminals.

It is known by experience that the newspapers, in publishing the portraits of criminals, in placing their names in evidence, and in laying before the public a detailed and illustrated report of their crimes, have developed an atmosphere tending to the glorification of murders and assassinations.

It is with the object of placing the gag on yellow journalism that Senator Choquette has presented his bill to the Senate.

Hon. Mr. CHOQUETTE—Now let us see the Ottawa Citizen.

Hon. Mr. DENNIS—Before you come to Ottawa, you might mention the Montreal Gazette's headlines describing it as an idiotic Bill.

Hon. Mr. CHOQUETTE—Perhaps the word 'idiotic' would rather apply to what you said against the Bill. The Ottawa Citizen had two articles, on the 17th and

19th insts., condemning most forcibly the speech of my hon. friend, hoping the Bill would become law. The Citizen takes my hon. friend to task for his championship of some kinds of freedom. Here is the first article:

Now Senator Dennis is a champion of some kinds of freedom. Not, of course, freedom of trade: that would be unpatriotic. But he believes the press should be free— to a certain extent. He would give a paper full liberty to entertain its readers with pictures of persons accused of crime. But the new champion of freedom is not so reckless as to advocate entire liberty. He would draw the line somewhere. In fact he is not too sure about some of the dangerous liberties taken in the press at the present time about the senators. Those scurrilous rascals called cartoonists, for instance, would not be over safe if Senator Dennis had his way.

But the Citizen of the 17th inst. published a most important article as follows:

Lionizing Criminals.

Senator Choquette's Bill regarding the pictures of persons accused of crime, or their accomplices, has been described as a gross interference with the liberty of the press. The measure before the Senate would forbid a practice already abandoned by some newspapers and periodicals: the featuring of crime pictures for the supposed edification or enlightenment of the general public. The spread of education must ultimately create a distaste and a pronounced objection to pictorial reminders of the morbid and gruesome in the world. The demand for such pictures now is largely catered to by a certain syndicate with headquarters in New York. To prohibit their publication might be seriously to interfere with vested interests. But there is much to be said in favour of Senator Choquette's Bill. To publish broadcast the pictures of people accused of crime may mean the infliction of untold misery upon many innocent people: torturing not only the accused person, who may be innocent, but giving pain to relative and friends, and tending to prejudice the chances of the accused. In Britain there is a decadent type of illustrated journal, largely filled with pictures taken in the vicinity of jails, law-courts, and crime scenes; and it is not uncommon to see a picture published showing some unhappy woman trying to shield herself from the camera, by placing her hand before her face. Such pictures are a blot on British journalism. Where the criminal is a moral pervert, a reversion back to remote and barbarous ancestry, there is no good purpose in glorifying him by publishing his picture: as well publish the picture of an imbecile. Lionizing the criminal is to deliberate incitement to other atavistic persons to commit crime. Senator Dennis is reported to have objected to the Bill because it might prohibit the publication of pictures of Joan of Arc, Papineau, Louis Riel, Parnell, General Villa, Keir Hardie, James Larkin, and other offenders against the law. There should be no question of the liberty of the press to publish pictures of heroes—and, to many people, revolutionary leaders may be heroes. But in so far as Senator Choquette's bill will save innocent or helpless people from painful publicity, or discourage morbid sensationalism, it will not interfere with the freedom of the enlightened press. Newspapers aiming to cater to the best in human nature have abandoned the practice voluntarily.

Hon. Mr. CHOQUETTE.

I repeat that the Citizen, which I may consider the organ of the Government in Ottawa, champions the Bill and goes pretty strongly for my hon. friend. Now take L'Action Sociale from Quebec, an ultramontane paper, which had an article entitled 'Heads of Criminals,' a very strong article approving of the Bill, expecting that the Bill would become law. The article is as follows:

HEADS OF CRIMINALS.

One of the strong arguments used by the opponents of the bill presented to the Senate, to prevent yellow papers from making capital from the publication of pictures of criminals, was that such publications assisted the ends of justice in facilitating the arrest of the culprits.

Current events are now rapidly destroying this argument.

It is a well known fact that certain large newspapers, especially in Montreal, make use and abuse of the opportunity offered to them to boom their circulation by exciting the morbid curiosity of the masses. Every day, they are not content with publishing columns of rubbish on the probable adventures of criminals, but they very often give prominence to their photographs,—or what is supposed to be their photograph,—for these papers are not very particular about likenesses, and it is very often anybody's photograph, which is published on the first page of yellow papers, with the name of Mr. So and So or Mrs. So and So.

Have they assisted the ends of justice? Not in the least. But on the contrary, they have greatly embarassed it, and if the police is today out manoeuvred by criminals, it is due mostly to the supposed assistance of the yellow press.

In fact, in every part of the country, the good old gossips, who delight in the prose of ingenious and exaggerating reporters, have kept the pictures of criminals. If any individual passes along the road, they become suddenly suspicious, and with the help of their imaginations they become easily convinced that it is Bourret or his fugitive accomplice. Confusion is the easier, because if we refer to the pictures published, we find they look like almost anyone. And that is the reason why, at every hour of night and day, police stations are startled by mysterious communications, and by sudden and urgent calls; and that accounts for the constables being on the run night and day. . . . . to find the game has flown.

What happened, centuries ago, to the little boy, in the fable, who shouted: 'Wolf' will happen again. The culprits will have time to reach the frontier, while the police is answering the calls of subscribers to yellow papers. Such are the services rendered to the public by those papers, when they use pictures of criminals as an advertisement.—'Action Sociale', 21st March 1914.

My hon. friend will remark that this article not only condemns the publication of the pictures of criminals on moral grounds, but condemns it also because

it is very often against the interests of justice. This has recently been shown in Montreal, where policemen were murdered, and though the picture of the murderers have been published nearly every day for ten days, they cannot be found, because, fearing to be recognized on the streets or the railways, they hide themselves. They cannot be found though a big reward is offered for their apprehension. This is another argument, and a good one, against the marked publication of pictures, except, as according to my Bill, with the assent of proper authorities.

My hon. friend a moment ago said, 'Take the Gazette.' I was just going to, because I have got the headings here. When the Bill was presented the Montreal Gazette put in a sarcastic article about the yellow papers.

Hon. Mr. DENNIS—Very sarcastic.

Hon. Mr. CHOQUETTE—Very sarcastic against those who publish yellow papers. The article, however, did not say a word for or against the Bill. When the Bill was presented there were speeches in the House, especially I think by the senior member from Halifax and the hon. member from Victoria Division, in which they paid compliments to the Gazette as not being a yellow paper. The Gazette naturally reproduced these compliments the next day, but it never condemned the Bill and never approved of it, the paper apparently not having the courage of its convictions. If the Bill is good why should not the Gazette approve of it? That paper is supposed to be a respectable paper, and I am willing to admit it is a respectable paper, a very good paper, well edited, well printed, but very doubtful on some questions. Even on the mayoralty question in Montreal just now it is very doubtful on which side the Gazette is. However, although the Gazette reproduced the compliments uttered in this House it did not pronounce itself either for or against the Bill. I repeat that if the Bill is good, it is the duty of every man and every respectable newspaper to pronounce in favour of it, and if it is bad to object to it; but the Gazette did neither. Perhaps they have some contracts to print yellow papers, or to print the pictures of criminals for these papers. However, this is their own affair. The Gazette of the 13th put big headlines over the utterances of my hon. friend, and that is a consolation to him. Well, are those headlines to be considered endorsements of the speech of my hon. friend? It just reproduced some of his words, some of his expressions, those referring to the tango dances of which my hon. friend spoke. I do not take these headings as a recommendation of my hon. friend's speech.

Hon. Mr. DENNIS—I did not go nearly as far as the Gazette. I did not call the Bill an idiotic measure, although I might have done so with perfect propriety.

Hon. Mr. CHOQUETTE—Everybody has liberty to pronounce his views, and he should condemn or approve of the Bill. My hon. friend said that to a pure heart everything was pure. That may be true, but on the other hand we have the motto, 'Make money; honestly if you can—but make the money all the same,' and I think that is the motto of my hon. friend, not as a member of this House, but as the publisher of a yellow paper.

Hon. Mr. DENNIS—I have utterly failed so far.

Hon. Mr. CHOQUETTE—Now I would not like to detain the House too long, but I shall just quote a few more facts. Before proceeding, I might say that far from being condemned by newspapers and booksellers I have just proven that all the respectable booksellers and proprietors of newspapers approve of the Bill. Far from having no demand for the Bill I have proven that there is a great demand. It has been said, when the matter was brought up for the first time, 'We never heard about it; there is no demand for the law.' Very often when a law is passed there seems no demand for it, but the bringing up of the question causes the demand to be revealed. So now that this proposed law has been brought before the House and the country, we see the demand and the necessity for it. My hon. friend spoke about half a column in regard to what this House can do—about prostitution, about grafters, about the age of consent. All these things are already on the statute book. Every item which he has mentioned is already a criminal offence, and has been passed upon by this Parliament; and if my hon. friend sees some of his friends, or some of his electors, doing what he has condemned here, he has only to get his lawyer to prepare a brief and prosecute those men. He has all the machinery for that. My hon. friend was also greatly exercised over the indecency of the tango, the bunny hug, the turkey trot, the X-Ray and other dances and exhibitions which

he describes as suggestive, if not positively lascivious. Is my hon. friend speaking from personal experience? If so, I am ashamed for his gray hairs. Yet how could he bear such positive testimony to the dangerous impropriety of these terpsichorean freaks without arousing the suspicion that he has taken part in them in order to acquire such an intimate knowledge of their character? Of course, I do not wish to cast the slightest doubt upon his still juvenile agility. I am quite prepared to believe that he would do credit to any of them as a performer, though he probably prefers, when in dancing mood, to go for a jig, a reel, a hornpipe—or the more stately quadrille, which is more in keeping with the dignity of a member of this hon. House. I shall, however, say that I am of the same opinion as he is regarding these improper dances and exhibitions, and indeed, I am quite willing to include in my Bill a prohibition of the printing of all pictures of those dancing them.

My hon. friend has gone still further. He talks about some people straining at gnats and swallowing camels, because they do not fulminate against the immoral tendencies of the slit skirt, the abolition of certain kinds of underwear and other sensuous styles of the female fashions of the day. My hon. friend is no doubt a very brave man, but I do not think that his bravery will carry him so far as to inaugurate a crusade against the female fashions. In doing so, he would simply be butting his head against a stone wall. And surely what he would not do himself he should not expect any of his colleagues of this House to do? However, I am willing to second him in every effort he will make to prevent ladies from wearing slit skirts or any costume tending to immorality, or to prevent the publication of the pictures of ladies who may be so dressed. The hon. gentleman in the course of his remarks said that the press was not going to be 'gagged and throttled.' I do not think my hon. friend was serious in making that statement. Who is speaking of gagging the press? I repeat you have now on the statute book all that he advocated, and nobody said it was gagging the press. I just wish to add to the list the publication of pictures of criminals. On this point especially, I am going to refer for a moment to an article taken from a French newspaper. Every one who reads the French press knows Les Annales Politiques t Literaires. They received opinions from lifferent sources on the very delicate subject of what should not be published in he press, and they received opinions, especially, about the publication of pictures. Here is what the chief editor said speaking of the publication of pictures and morbid reports of crime. It is as follows, as reproduced in L'Action, of Montreal:

> The measure is a good one. The press may possibly end by acknowledging its responsibilities, and in the future give less advertisement to criminals. And this reform would be easily attained, if everybody, rising above commercial competition, and shop questions, would aim solely at public improvement.
>
> Let us promise to allow but a summary space to the reporting of crimes and misdemeanors, to give the names of murderers and criminals by initials only, not to refer to people unless they are honest, and not excite criminals morbid thirst for publicity, and to use in respect to them the only effectual weapon: silence.
>
> That is common sense talk. It is listened to, approved of, but nobody acts in accordance. It triumphs solely with the support of coercion.
>
> A new law, precise, imperative, and strictly applied, would have more effect than our protests and complaints. We hope that, with the experience of the past, Parliament will act according to the almost unanimous wish of public opinion.

Hon. Mr. DENNIS—I did not catch the name of the newspaper from which the hon. gentleman is quoting.

Hon. Mr. CHOQUETTE—Les Annales Politiques et Literaires.

Hon. Mr. DENNIS—I am no more enlightened than I was before.

Hon. Mr. CHOQUETTE—If the hon. gentleman does not understand French, he should do as we have to do, learn to speak both languages. I would prefer ten times over to speak in French, but I speak in English in order to be understood by those who are not familiar with French. Without wishing to affect anybody, it seems to me that every educated man here and elsewhere, especially in this country, should know both languages, so that every one can speak in his own language, as I should like to do when I am undertaking to refute the elucubrations of my hon. friend from Halifax. I wish to cite also the opinion of Mr. Henri Robert, one of the most eminent criminal lawyers in France at the present time. Speaking about criminality, he says that in his experience, as a criminal lawyer, he can trace all crime to newspapers published similar to the one published by my hon. friend from Halifax, and their illustrations. At the close of his article he cites as an example a young

man walking on the street with a girl. The evening papers were just published and contained pictures of criminals, and the girl said to the young man: 'Well, friend, when is your picture going to be published like that in the newspaper?' Thus showing the danger of such publication. Mr. Robert is in favour of a Bill like this one. Here is what he said:

Local items haunt us, persecute us, impose themselves to our eyes, and insinuate themselves in our minds. Do you happen to buy the day's paper; you will find it full of glaring headings. Do you happen, after dinner, to go to the theatre or cinema, they are still watching for you there. You mostly, see a performance representing homicide, insanity or immorality. Do you happen to be walking on the street; you meet those whose hideous picture have been shown to you in thousand of forms,—suspicious prowlers, criminals still unknown, agents of blackmail and prostitution.

It is you, my colleagues who are corrupting them; are teaching them the last improvements in burglary and murder, the safest means to prepare the offence to be committed and the securest way to escape consequences. How can these unfortunates resist the contagion of example?

The considerable interest taken in criminals likes, increased by the combined efforts of illustrations and news report, awakens in them a desire for this odious glory, the only one they can hope for, if, on the other hand, they were not urged to make a bid for it by so many wants, desires and appetites. Oh: my colleagues how guilty you are! Please note that there exists, an old law, repressive of actions described as crimes which might, if magistrates were courageous enough be applied to you. I hear you; you are going to protest that you hate these crimes, and that you are in no way apologizing for them. You are unconsciously exalting them; you praise them by the mere fact that you give them undue importance. Bear in minds the words of the caricaturist; a vague youth of the Boulevard is chatting with a *grisette*. 'Well!' exclaims the *grisette*, 'when will your picture appear in the paper.' That is the basic spirit.

The vanity of *apaches* makes them rave to see their pictures published, their disclosures taken down, and the prose of their letters in print. The idea that they are what society is most interested in, awakens, spurs,—that is the word,—their energies.

Now I will read from a book my hon. friend from St. George (Hon. Mr. Gillmor) has just handed me, a book which I would advise my hon. friend from Halifax to read. It is entitled 'The ordinary man and the extraordinary thing.' The author is Harold Begbie, author of 'Broken Earthenware,' the man who wrote the life of Sir George Williams, the founder of the Young Men's Christian Association. Speaking of newspapers, he says:

When a boy runs through the street with the cry of horrible tragedy, he is exalted by something more than certainty of good fortune. Regard his excited eyes, the strain of the muscles around his mouth, the effort of the body to hurl itself ahead of the hurrying legs, the obvious awe and self-importance of a spirit charged with evil tidings.

Further on he says:

Humanity clearly is still in the barbarous stage where the drama of life without action, violent action is reckoned dull and tedious. The multitude must have murders, suicides, divorces, and political crises in the newspaper.

The trouble about this universal love of horror and calamity and violent action lies in its influence upon the journalists from whom so many take their ideas of life.

I call the attention of my hon. friend to this, as he will recognize himself in that, as to making money on the street by selling that kind of yellow newspapers like his own.

Because murder multiplies editions, and divorce or crisis sends up the sales to a zenith of prosperity, it is conceived that all bad news is profitable and all good news is dull. And from this reasoning proceed the pessiamism, the cynicism, the hysteria, and even the despair which characterizes the modern newspaper. If ones knowledge of life were obtained only from the newspaper, who would not conclude that mankind is staggering on the edge of a precipice, with ruin darkening over its head, and perdition yawning at its feet. Infamy has its tens, evil its hundreds, and vulgarity its thousands.

I suppose the hon. gentleman from Halifax must have the thousands. My hon. friend has also said that under this Bill the man who publishes the picture of Riel, Papineau and others will be a criminal and will be liable to penitentiary on the same footing as an ordinary criminal. I am obliged to state that I can not believe that the hon. gentleman was serious. When he undertakes to supply us with object lessons as to the effect of my Bill, if passed, he reveals himself as a great humorist. He gives free rein to his imagination, but the pictures which he draws are so distorted, so far-fetched, and so much in the nature of a joke that they only provoke laughter. I can make every allowance for the honourable gentleman's natural desire to spread himself on this question and oppose any and every restraint upon the tendencies of the 'yellow' press to sensationalism; but when he comes to seriously telling us that, under this Bill, publishers would be subject to a penalty of two years in jail for printing pictures of Joan d'Arc, Louis Papineau, Louis Riel, Charles Stewart Parnell, Bramwell Booth, etc., etc., he carries the joke much too far and simply makes himself suspiciously ridiculous, or he is

laughing at this House and treating it with unbecoming levity, for none knows better than himself that this Bill has no such object and would have no such effect.

I go further and say that if he is really serious comparing criminals with these persons it is blasphemy if nothing else.

Hon. Mr. DENNIS—The Bill provides that any person publishing the picture of any one who has ever been convicted of a crime is guilty. Were these people not all convicted of crimes?

Hon. Mr. CHOQUETTE—Political crimes perhaps. I have about finished with my hon. friend's speech. I shall now add some important considerations. I maintain that the subject matter of this Bill, is deserving a very serious consideration. It should not be accepted and treated with flippancy, for it contains a moral of great importance in the interset of the public, and especially in the moulding of the youthful mind. For the sake of argument, and in order to simplify the moral depth which I wish to reach by the Bill, I shall take the liberty of discussing two classes of men, as they treat morality, from their separate points of view.

I shall divide the good and moral man, from one which I might call the modern man, if not the bad man. The good and moral man strives, in keeping with a healthy conscience, to live up to, and set the example of a moral life, to the youth and innocent of this country, and must see that this Bill is to purify and strengthen public morality, and must then support the measure. He, as a good man, filled with clean and noble purity of thought, feels it his duty as a Christian. and a worthy legislator, to safeguard the rising generation from having a corrupt mind, by contamination with obscene literature and suggestive pictures or photographs, and therefore must recognize that the reproducing of a picture of a murderer, in the columns of newspapers, is against the code of good morals. Such featuring by newspapers undoubtedly has evil effect. The story as it is recounted in the press, would be, in nine cases out of ten, passed over by the youthful reader, if the portrait of the individual it alludes to were not published to create a greater attraction to the subject—it causes the reader to devour the contents of the tragedy, or filthy story as the case may be, and thus creates in the mind a passion for unclean subjects that theretofore was foreign to his or her young mind. On the other hand, the careless, or properly speaking, the men of loose morals, the bad men view conditions differently. They say: Let the young read and learn, and realize as a lesson the moral and the immoral sides in all conditions of life; forgetting in their own morbid natures the impression that is calculated to remain, and by degrees awake, in a young mind, ideas that eventually lead to the development of a careless, and probably an undesirable member of society.

The moral men I designated are the ones who would hesitate to read a bad book, and should they be induced to peruse its pages in a spirit of curiosity or in an educational sense, would throw it away in disgust before they would finish. They cannot tolerate literary productions if they are immoral or suggestive of immorality. This class of men will enjoy attending a clean, educational drama or opera, where he feels it safe to escort his wife and family. but the bad men will do the very contrary, especially the yellow paper proprietors. I regret to say that the only real opposition to this Bill, so far, has come from an hon. member of this House who apparently has not given it proper consideration. He is evidently opposing it as if he were fighting for an existing business proposition in which he is vitally concerned, as a newspaper publisher, and the backer of a yellow newspaper, for the money yielded by its discourses of sensationalism, aided by the very pictures that this Bill aims to suppress. The returns may be profitable, but I contend, and every honest man with a family of children to educate and cultivate, must agree with me, that money so earned is not fair and honest gain, as it is gotten at the expense of the morals of the youth of the country. It is a striking glorification of the motto cited above: 'Make money honestly if you can, but make money.' It is speculation on the human mind and the soul of youth, and should not be tolerated.

The hon. member from Halifax has said that the Bill is an infringement on the liberty of the press, on the liberty of the proprietor of a newspaper as I have mentioned en passant, a moment ago, but I wish to add this and say again: if this contention be true, then every line contained in the Criminal Code is an infrigement of our liberties.

To forbid one to manufacture, expose for sale, or give in public view, or have in his possession any obscene book, newspaper, or any picture, or photograph, pertaining to corrupt morals, is an infringement on liberty, and it is already on the

statute book. Thus it will be seen that I am not endeavouring, absolutely speaking, to add to the law, but to provide for its more severe enforcement and make it impossible for yellow journalism to prevail in this country, poisoning the morals of the people; and in my efforts I am backed—as proven above—by proprietors of respectable and reputable newspapers, and respectable book dealers of the country.

I do not hesitate to say that the owner of a newspaper, in attacking this Bill, manifests the commercial side of his character that outweighs any regard for a moral duty, and his arguments should not in the least prevail.

I wish now to put forward another line of argument which I think worthy of consideration. I refer to the hygienic laws framed to safeguard the public from contagious diseases. These laws point to the infected people; we must divide them from others to prevent by contact the circulation of sickness that is a menace to the public health and lives of the people; and in order to carry out hygienic laws, we have established isolation hospitals and quarantine stations, where the infected must be isolated and guarded against contact with the more healthy ones, by keeping the public away as a prevention against the spread of the disease. Are not these hygenic laws an infringement on the liberty of these people who are, in a sense, imprisoned during the pleasure of medical restraint? Are they not unduly deprived of their liberty, in line with the argument made by the honourable member for Halifax in his defence of the yellow journal? Therefore I claim, that the present Bill is justifiable and right to help to stop yellow journalism in its endeavour to propagate the devil's work by exciting the curiosity of young and innocent readers, that gradually leads to a degeneration of the present and future population of Canada. We make laws to punish the criminal class, and why should we not make laws to obviate the possibility of a criminal class, by preventing the circulation not only of obscene literature, and pictures, but also of undesirable photographs. This Bill does not aim to prevent publication of pictures of art, or photographs of worthy citizens and heroes. It does, however, aim to prevent the reproduction of the pictures of vice, figures in sensationalism, and photographs of the criminal class, that excites the curiosity of innocent people, and teach them a life of crime which it would be to their advantage to ignore.

We make laws to punish the guilty and imprison the malefactor. Our jails and penitentiaries are becoming alarmingly crowded, our hospitals fill with unclean men and women, and society is in danger of becoming impregnated with vile contact, unless we rise to the occasion and make more severe laws that will arrest and stamp out the evil. And who are responsible for the greater part; the proprietors of yellow papers, by the publication of pictures and photographs of criminals.

My hon. friend spoke of the commercial injury that this Bill was calculated to work against the interests of the newspapers of the country. This Bill is not promoted to injure or help in any way the liberties of respectable newspapers published in the Dominion of Canada. In no sense does it interfere with their rights. But I admit it will interfere with the proprietors of yellow journals which the general public wish to see penalized, should they continue in their work of lowering instead of elevating the morals of the country. Now let me say in conclusion:

I remember having read somewhere that souls are lyres which resound together—that fear, joy, unhappiness are communicable, and it is the same thing of malice, deception and crime. If you add to all that the unfortunate natural inclination which we all have, you will have the problem of seeing men, first good then turning bad, for all the above reasons, and this will lead them to the penitentiary or to the scaffold.

You see men, women, and especially children, taking pleasure in looking over pictures of criminals, in reading accounts of their misdeeds. It is because these pictures and misdeeds give them emotions, and these repeated emotions create passion. The emotions act on their system like waters that break dams, and passions are like torrents which are deepening more and more profoundly the beds of the river.

The conditions of a place where a man is living are favourable to the development of these morbid sicknesses, and imitation and suggestions are doing the rest; so we can judge what effect these divers influences must have on the minds of children who have an exaggerated sensibility or undisclosed sickness, when their exalted emotions or romantic mind sharpen their appetites and give them the ambition to be great men, even by becoming criminals.

A moralist has written that it does not depend on us not to have passions, but it seems to me that it depends on us

legislators to reduce the occasions of passions. In France and here it is forbidden to the public to assist in the execution of criminals. Why? There is no harm to see a criminal pay the penalty of his crime; it ought to be a good thing, it may be a very important lesson. However, the nations have condemned it and declared that no good can come from these terrible spectacles; of course it is fortunately known by experience that these spectacles of execution, hanging or guillotine, with its lugubres decors, does not repulse the mind, but seems to attract and suggest. So it is with pictures of criminals. Though we have in our minds that we are looking at criminals, however far from repulsive, we are carried away with sympathy for them, and there are some who would enjoy the notoriety of their position, and be glad, I repeat, to be great men, even by becoming criminals, and so have their picture in the newspapers and be talked of.

If some of the facts and thoughts I have endeavoured to put before the House today had been presented when the Bill was first submitted to the Senate, I am sure they would have been appreciated even by my hon. friend from Halifax. I did not then think it necessary to give those thoughts and reasons in support of it, because it seemed to me that the Bill was so simple it would be really insulting the intelligence of the House to offer a detailed explanation of the purpose in view; but after the lecture delivered by the hon. gentleman from Halifax in defence of his own business and of his own paper, I thought I would try to convert him and bring him to a better frame of mind by showing him the evil he is doing; I hope now to convince him to support this Bill, or at least let it be read the second time and referred to a committee. Then after looking over these reasons and with the perusal of letters and clippings from newspapers that I have read to the House, I believe we will make the Bill still better than it is, and not only prevent the publication of pictures of criminals, but also the reports of criminal matters, and also put in the amendment my hon. friend will probably offer about indecent dances and dresses; then the Bill will be perfect, and every one of us will feel happy over the good work we have done.

Hon. Mr. COFFEY moved that the debate be adjourned until to-morrow.

The motion was agreed to.

Hon. Mr. CHOQUETTE.

SECOND READINGS.

Bill (C-2), An Act for the relief of Johann Andreas Horn.—Hon. Mr. Talbot.

Bill (D-2), An Act respecting the Western Life Assurance Company.—Hon. Mr. Ross, Moosejaw.

The Senate adjourned until to-morrow at 3 o'clock.

THE SENATE.

Thursday, March 26, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (F-2), An Act for the relief of Gracie Smith.—Hon. Mr. De Veber.

Bill (G-2), An Act for the relief of Harry Cracroft Pugh.—Hon. Mr. Derbyshire.

Bill (H-2), An Act to incorporate the Prudential Life of Canada.

A CORRECTION.

Col. the Hon. Mr. MASON—Before the Orders of the Day are proceeded with I desire to call attention to an error in the Minutes and Proceedings of yesterday, and ask that it be corrected. On the motion that the fourth Report of the Standing Committee on Divorce be placed on the Orders of the Day my name appears in both instances among the contents. I was not in the Chamber when the vote was taken, and consequently did not vote.

The SPEAKER—I presume that is sufficient notice to have it corrected.

THIRD READINGS.

Bill (T), An Act respecting The Sterling Life Assurance Company of Canada.—Hon. Mr. Talbot.

Bill (U), An Act respecting The W. C. Edwards Company, Limited.—Hon. Mr. Béique.

Bill (57), An Act respecting the British Trust Company.—Hon. Mr. Derbyshire.

Bill (C-2), An Act for the relief of Johann Andreas Horn.—Hon. Mr. Talbot.

WEIGHTS AND MEASURES INSPECTION ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (96), An Act to amend the Weights and Measures Act.

(In the Committee.)

On clause 1:

1. Section 38 of The Weights and Measures Act, chapter 52 of the Revised Statutes, 1906, is repealed and the following is substituted therefor:—

'38. The basic units of the metric system shall be the International Metre and the International Kilogramme confirmed in the year 1889 by the first International Conference of Weights and Measures and deposited at the International Bureau of Weights and Measures.

2. The minister shall obtain a copy of the metre and a copy of the kilogram certified by the International Bureau of Weights and Measures, and the said copies, when authorized by Order in Council shall be the legal standards of the metre and kilogram in Canada.

3. The minister may cause to be compared and verified with the said standards all the metric weights and measures which are submitted to him for that purpose, and which are of such shape and construction, as are, from time to time, directed under any Order in Council in that behalf, and which the minister is satisfied are intended to be used for the purpose of science or of manufacture, or for any lawful purpose within the meaning of this Act.'

On clause 2—the new schedule.

Hon. Mr. BOYER—Are we adopting only the weights and not the distance? You have it here:

The basic units of the metric system shall be the international metre and the international kilogram.

Hon. Mr. LOUGHEED—Yes. I pointed out to my hon. friend that the measure heretofore adopted as the metric system, was not an international system. It is now to be superseded by the standard of the international metre and international kilogram confirmed in the year 1899 by the first International Conference of Weights and Measures, and deposited in the International Bureau in Paris. It does not change the law in any sense, except as to adopting a better standard for metric measures.

The clause was adopted.

Hon. Mr. MASON, from the committee, reported the Bill without amendment.

WHITE PHOSPHORUS MATCHES BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved:

Bill (103), An Act to prohibit the manufacture and importation of matches made with white phosphorus.—Hon. Mr. Lougheed.

He said: The object of this Bill is to prohibit the use of white phosphorus in match-making establishments. It is proposed that the Bill shall not go into operation until 1916, so as to give ample time to industries in this particular line of business to make preparation to abolish the use of this particular article. It is in the interests of health and life that this be done.

Hon. Mr. ROCHE—What is the difference between white phosphorus and the other kind now used?

Hon. Mr. LOUGHEED—I could not tell that to my hon. friend. I understand that white phosphorus has been generally used in the manufacture of matches. There is now a substance known as sesquisulphide of phosphorus which is replacing it in all civilized countries. This has practically been adopted in most civilized countries.

Hon. Mr. DERBYSHIRE—It does not have the same offensive smell.

Hon. Mr. LOUGHEED—No, it does not have the same bad effect on employees working upon the article such as white phosphorus does.

Hon. Mr. CASGRAIN—What is the objection to the importation of this substance?

Hon. Mr. LOUGHEED—This matter came up a couple of sessions ago, and it was proposed simply to prohibit the manufacture and importation into Canada, but this Bill is of a more comprehensive character and prohibits the manufacture and importation and sale of that class of match.

Hon. Mr. CLORAN—Can matches already prepared be brought in?

Hon. Mr. LOUGHEED—No.

Hon. Mr. CLORAN—Not matches already prepared?

Hon. Mr. LOUGHEED—No; matches made of white phosphorus will be prohibited from importation into Canada.

Hon. Mr. CLORAN—I know, but they will not endanger the health of the people here, once they are manufactured abroad.

Hon. Mr. LOUGHEED—Yes, they will; that is one of the difficulties. It has been established in courts of law that this article has not only jeopardized the health of match employees, but has been used as a cheap poison.

Hon. Mr. CASGRAIN—That is right.

Hon. Mr. LOUGHEED—It has been used for suicidal and homicidal purposes, and the intention is to abolish its use in every conceivable way.

Hon. Mr. BOSTOCK—I do not rise for the purpose of opposing this Bill, but I should like to know why this has not been gone on with before. If my information is correct, a Bill almost identically the same as this Bill, was introduced by the late Government in 1911 and was objected to at that time by a member of the Conservative party in another place, because it was not constitutional. The result of that objection—if I am rightly informed—was that the Bill was held up for that session and nothing more could be done in connection with it. The measure is one that is most desirable in the interest of the health of the people of this country. As has been stated by the leader of the Government, it is desirable to prevent, not only the manufacture of this class of matches, but also the sale of the same on account of the cases that have occurred, in which people have used them as a cheap form of poison. I only regret that this legislation has not been on the statute book sooner, because I think at the present time Canada is behind the other countries of the world in this matter. All other countries have adopted similar legislation, which has proved very beneficial to the general health of the people. I have only one objection to this measure, and that is that it is not to come into force until the year 1916. Inasmuch as this legislation was introduced, first of all in the House of Commons in 1911, we may take it that the manufacturers of these matches and the public generally have had notice that it is desirable to place legislation of this kind on the statute book. Notice was given some three years ago and therefore the manufacturers should have had time to make the necessary preparations, and to adjust their business to this class of legislation. The leader of the Government should have introduced this Bill the first session of the present Parliament, when he was in a position to handle the legislation of the country. There might have been some excuse for deferring the time when this Bill should go into force; but as this question has been before the country now for so many years, I shall ask the leader of the Government to agree to an amendment allowing the Bill to go into effect at once, instead of deferring its action until 1916.

Hon. Mr. POWER—The 1st of January, 1915, would be better. We must make allowance for those who have stocks on hand.

Hon. Mr. BOYER—As the hon. member from Vancouver has stated, a similar measure was introduced in the House of Commons on the 9th of January, 1911, by the then Minister of Labour, the Hon. Mackenzie King. On that occasion, an inquiry was made by Mr. Daniel, then a member of that House, as to the necessity of such a Bill and how many people throughout the Dominion would be affected by it. The questions put then were: 'How many employees are there, and how many match factories are there throughout the Dominion.' The answer was: 'There are three match factories in the Dominion of Canada, one in Halifax called the Eureka Match Factory, one in Hampton, N.B., and the Eddy Match Factory in Ottawa.' The total number of employees was given as 278 by the census of 1900, but the labour census made the number of employees 230, making forty-eight less employed in all the match factories of the Dominion of Canada. There were 200 in the Eddy match factory, fourteen in the Eureka match factory of Halifax, and thirteen in the Hampton match factory of New Brunswick. The question then arose whether it was worth while having such legislation for so few. But the statistics given of the dire effects of the fumes, caused in the different factories by the use of white sulphur, were so appalling that the Government at the time thought it only right to introduce this measure. In 1906 a convention took place in Berne, composed of the different Governments of Europe, having for its object similar legislation to that introduced today by the Government. At this convention statistics were given proving throughout the world dire effects followed the use of phosphorus in the manufacture of matches. At that time England stood aloof; Sweden, which is to-day the largest match manufacturer in the world, also stood aloof; Japan also would not come into the convention. The reason assigned by England for not signing the convention of Berne was that they thought they had proper regulations that would effectually govern the manufacture of phosphorus matches in England. After having tried these regulations for two years, they were found so defective that in 1908 the British Government adhered to the Berne convention and decided to prohibit the manufacture of phosphorus matches in England. It was mentioned in the Berne conference that the mother countries had the right to invite the colonies to join this convention

so as to prohibit the manufacture of these matches. A despatch was sent from the Foreign Office in London to the then Governor of Canada, Earl Grey, who drew the attention of the Government to this convention. The Government immediately caused inquiries to be made throughout the Dominion of Canada to find out whether such a law would have beneficial effects, or whether the manufacture of phosphorus matches affected a large part of the population of Canada. After a thorough inquiry it was found that from fifteen to twenty cases had been treated throughout the Dominion for phosphorus poisoning. We all know the dire effects of phosphorus poisoning. Particles of phosphorus in the manufacture of matches will fly into the mouths of employees, and if a tooth happens to be decayed, the phosphorus will immediately settle in there, and eventually cause the loss not only of the tooth, but even of the jaw bone. Several of such cases were mentioned in evidence throughout the Dominion of Canada, and acting on this evidence the Government in 1911 introduced a measure based on identically the same lines as the measure the British Government introduced. It appears that, whether purposely, or whether they thought the measure answered all points, it was mentioned in the Act that it was prohibited to manufacture matches made out of white phosphorus, but provisions as to the sale of it were entirely forgotten. The Canadian Government on the 19th day of January, 1911, introduced this measure. Information was given, as I have just stated, and one of the reasons given against the passage of this Bill was that the then Minister of Labour was in league with, or was a paid official of the Diamond Match Company. This was actually hinted at. It was stated in the press, and the next day, acting on this information, the Minister of Labour discussed the case of the Diamond Match Company, which had control of patents allowing the manufacture of matches other than with white phosphorus, and he read affidavits, deeds and convention, by which the Diamond Match Company allowed every company throughout the Dominion of Canada, throughout the British Empire, and throughout the world, to use its patents on the same terms as the company was using them itself. This settled the question of the Minister of Labour being in the service of the Diamond Match Company. Another objection was then raised to the passing of the Bill. Mr. Northrup, M.P., raised the question as to whether the Parliament of Canada had the right to pass such a measure, whether this measure which affected the health of the people did not pertain to local legislatures; and whether the federal authorities had a right to legislate on the question. The matter was thoroughly threshed out. It was merely what legal gentlemen call a legal squabble. Still the opposition was trying to make as strong a case as possible against the then Minister of Labour and Mr. Doherty, to-day Minister of Justice in the present Government, was not quite sure in his mind whether we were not trespassing on the local prerogative, because as he stated in his speech, the local Governments have factory inspectors, and surely they could pass laws and by-laws strong enough to protect the health of the people over whom they are appointed to watch. The point was considered, not only from a legal point of view, but as affecting the rights of the provinces. The Bill was allowed to be introduced, but never went any further; the Bill we are asked to consider to-day is identically the same Bill that was introduced in 1911, except that it goes a step further; it prohibits the sale of such matches. If we are not allowed to manufacture I do not see why we should be allowed to sell, so that is one improvement in to-day's Bill, as compared with the Bill of 1911. I would very much like that the question, which at the time was considered a great bugaboo, which was backed by legal opinion—I would like to know to-day if the legal opinion of the officers of those days is the same to-day. If we have a right to-day to pass this Bill, why was it opposed in 1911? Why have we allowed this dire disease, as they call it, to prevail amongst us, and to endanger the lives of 230 people who are employed in match factories throughout the Dominion? Why should we wait two years longer, so that a few more may be afflicted? That is what I am at a loss to understand. If such legislation is worth passing, if the life of a man employed in a factory is worth looking after, it strikes me it ought to be done immediately and not wait two years. The different match factories throughout the country have had, it strikes me, ample time to put their houses in order, if I may use the expression. They must have felt that the manufacture of such a dangerous match as the white sulphur match was eventually to be prohibited. I quite agree with my honoured leader that if such legislation is worth passing it should be

passed and come into effect immediately. Nobody will suffer by it. There are three match factories throughout the Dominion, and the lives of the 230 people employed are daily threatened by engaging in the manufacture of white sulphur matches. Let us accept the amendment proposed, and let the law come into effect immediately. We have not any statistics since 1911 to see how many more have been affected by the disease. It would be very interesting if we could obtain such statistics, but I have been unable to get them. The question was worth talking over in 1911, and we now bring it up in 1914, and although we all regret the effects of this disease, still we give it two years more to still further encroach upon the health of the people. For these reasons I am strongly of the opinion that it would be a great improvement on the Act if it were made to become effective on the day of its sanction.

Hon. Mr. POWER—I sympathize with the views expressed by the leader of this House and by the hon. gentleman who has just resumed his seat; but after all we have to have some consideration for the circumstances. The probabilities are that at the present time there are numbers of manufacturers and numbers of grocers and people of that kind who have laid in stocks of these matches, and if a Bill of this kind were to come into operation at once a certain amount of injustice would be done. I think that perhaps the hon. leader of the Government may see his way to provide that the Bill shall come into operation on the 1st day of January, 1915. That would be giving reasonable time to those who hold such stocks to get ready for the change. Then there is another point which I think my hon. friends have overlooked; as the business of the King's Printer's office is transacted at the present time, it is generally about four months after the prorogation of Parliament when the Acts passed during the session are distributed; if you make this Act come into operation immediately, you will be rendering a large number of people liable to severe penalties for violating an Act which they have never seen, and which they have had no opportunity to see. On the whole, the ends of justice and fair-play and of humanity would be met by having the Act come into operation on the 1st of January, 1915. As I am on my feet, I think I should direct attention to the sixth clause of the Bill so that the hon. minister who has it in charge will be prepared to give any information that may be required. Clause 6 says:

6. Any person who is manufacturing or proposing to manufacture matches by way of trade may present a petition to the Commissioner of Patents, praying for the grant of a compulsory license to use any process patented at the time of the passing of this Act for the manufacture of matches without white phosphorus.

Then the subclause provides that the Commissioner of Patents may do this. That is a rather sweeping and violent interference with the rights of the patentee. I only mention it so as to call the attention of the hon. leader to it.

Hon. Mr. LOUGHEED—If my hon. friend followed the language a little further he would observe that a license would be issuable upon such terms as might be imposed.

Hon. Mr. POWER—I have seen that.

Hon. Mr. LOUGHEED—The policy of the Bill is a good one. If the health of the public is jeopardized owing to the use of a certain article, and a certain wholesome substitute is patented, there is no reason why, in the public interest, that substitute should not be used to the advantage of the public on such terms as might be imposed. In the next place the reason for postponing the operation of the Act until the 1st of January, 1916, arose through a large delegation from the Royal Society waiting upon the Government. Among them was the ex-Postmaster General, Mr. Lemieux, who apparently made representations to the Government that in the event of this legislation coming into force it was undesirable that it should be brought into operation until a reasonable time was given to manufacturers and those interested in the handling of matches, to dispose of their stocks, and it was thought that the 1st of January, 1916, would be a reasonable date. However, I am not saying that reason could not be shown why it should not be brought into force earlier. It is a matter for the Senate to determine, and when the Bill goes into committee, I am satisfied the judgment of this House will express itself wisely, and in the public interest along those lines. I should like to say a word on the castigation which my hon. friend has given the present Government for delaying this legislation. May I ask why the late Government did not press this measure to a successful conclusion when they introduced it? The danger

was then as great as it is to-day, but my hon. friend informs me that because Mr. Northrup the member for Hastings, and the present Minister of Justice made some criticism as to the constitutionality of the measure, the Government bowed its head and yielded to that criticism. It was most unusual for the late Government to extend such generous consideration to these criticisms, and to delay the bringing into force of such a necessary measure. The present Government is showing less timidity in regard to constitutional objections. They are quite prepared to assume the responsibility of any conflict that may arise between the provincial authorities and the federal authority, as to the power of this Government to pass such legislation.

Hon. Mr. CASGRAIN—As to the late Government not proceeding, it is only lately that manufacturers have been able to dispense with white sulphur, and that a substitute has been found for commercial purposes. This substitute has been known for many years, but it is only now that it has come into general use, and has been made accessible to all manufacturers. That may have been the reason why the hands of the late Government were stayed. I was very much surprised to hear that there were only three Canadian factories making matches—one at St. John, N.B., one at Halifax, and one in Hull. I do not believe such statement is absolutely correct. I think there are more manufacturers of matches than that, because I personally know that in Drommondville there is one manufacturer doing business every day and employing 75 people.

Hon. Mr. BOYER—Since when?

Hon. Mr. CASGRAIN—It has been going for a long time. I just left the House a few minutes ago to verify the statement by a member for that place, Mr. Mitchell, who tells me that the plant has been in operation for some years. There must be others. The hon. gentleman who made the statement as to this must have gone by the statements that were given to him, and by the census. I thought there were more of these plants, and I have named one anyway that I know of, because I saw it and passed by it, and I was told the extent of the business, and also how many people had become diseased in making matches in that very place. If the Government had not introduced this Bill this year, I have been asked to do so by some medical men in Montreal, amongst them Dr. Ruttan, who is at the head of that special branch of the medical faculty in the University of McGill. He has had to perform the operation of removing the jaws of employees working at this industry who contracted a disease which blackens their gums and the roof of their mouths, and eventually destroys the jaw absolutely; Dr. Ruttan offered to give me a tangible proof of the dire effects of this article, in the form of the jaw itself, which he had just removed from a patient. I believe it would be a good thing if this Bill could come into operation before 1916, and if we could bring it into operation in January, 1915, I think we would be acting in the cause of humanity.

Hon. Mr. DANIEL—A return that was brought down in the House of Commons relating to this very matter, shows that there are in Canada five establishments for making matches.

Hon. Mr. BOYER—What year is that return?

Hon. Mr. DANIEL—1911. This return was brought down, and will be found in the Commons 'Hansard' on the 17th March this year.

Hon. Mr. BOYER—That is this year, but I was quoting the answer that was given to you in 1911.

Hon. Mr. DANIEL—Yes; this is information brought down this month by the hon. Minister of Labour, when he introduced this Bill in the House of Commons, and from that return we find that there are five establishments for making matches in Canada.

Hon. Mr. WATSON—Where ?

Hon. Mr. DANIEL—The return does not state where. It gives the capital employed as $484,475, exclusive of the Eddy Company capital, and the number of employees 460, exclusive of the Eddy Company. The wages paid are $93,551. These all have an asterisk after them, which means that the information is exclusive of the information relating to the Eddy Company. The value of the product which it manufactures is $1,072,527 per annum.

Hon. Mr. YOUNG—That would be all kinds of matches ?

Hon. Mr. DANIEL—That would be the whole of the match-making of the Dominion. Of course there is no doubt that the disease which is produced by the use of

phosphorus, especially when it gets into the mouth, and so on, is a very bad one, very disfiguring, and dangerous not only to health, but to life, producing as it does necrosis of the jaw. I do not think that this disease has been very prevalent in Canada. A return in regard to the factory in New Brunswick shows that there has never been a single case of 'phossy jaw' in that establishment. I think the same is true with regard to that of Halifax, though I would not be sure of that. There have been a few cases about this vicinity. With regard to the factory mentioned by the hon. gentleman from De Lanaudière, I do not know the number that have been affected there, but of course the matter is a serious one to that extent, though the disease is not prevalent there now. I have hardly heard and have never seen any reference to any disease of the kind in the Ottawa hospitals, and I do not think it is very prevalent, so that as far as the urgency of the case is concerned I do not think that that should be taken too seriously. Here are establishments employing quite a number of labourers with a large amount of capital invested, and they are asked to change their methods, their machinery, and everything of that kind. If they are asked to do it suddenly it means that there will be a very large amount of financial loss incurred by that which perhaps would not occur to the same extent if the manuafcturers were allowed to make the change gradually. The hon. Minister of Labour, speaking about this very question the other day in the House of Commons, stated that he had been requested to make the time shorter; hon. gentlemen opposite have been suggesting here that the date should be 1915 instead of 1916. The reason that he gave on behalf of the manufacturers was this: 'The returns pointed out that it would require considerable time experimenting on different substitutes for white phosphorus, and owing to business contracts they have undertaken, it would be very injurious to them if the provisions became effective before January 1, 1916.' That is one of the reasons the minister gave; he also said: 'The length of time we are giving is usual in the United States and other countries in cases of this kind. Of course I am familiar with the argument: 'If this is so very injurious, why not stop it at once.' But we cannot act like that in matters of this kind, and I have come to the conclusion that we should leave the date as it is. That is, until 1916. I think that taking everything into consideration—taking the fact that in this country and around here the number of cases of this disease is very few, and also the fact that to make a sudden change in those large establishments with regard to the composition of whatever they are going to manufacture the new match out of—if the statement of the minister is correct, these manufacturers hardly know yet what substitutes they will be required to get for the use of white phosphorus. The ends of humanity, and health, as well as the interests of the manufacturers, would be served if suitable time was given them to make the change. I am quite sure that the disease is not very prevalent, for during all the years the factory in New Brunswick has been in existence there has never been a single case of phossy jaw in connection with that manufacture. I suppose it is more apt to occur in establishments where there is poor ventilation and where dust and that sort of thing accumulates; but where there are good hygienic conditions in the factories the disease is certainly not so apt to occur. If we allowed the times stated in the Bill at present to become law, we would be doing fairer by all interests than to make it very much shorter.

Hon. Mr. THOMPSON—I did not understand that the question was in its experimental stage. From the remarks made I had thought that almost all other of the larger countries had already adopted the change, and that the match-makers in this country would not have to go into chemistry and work out a new substitute for what they are now using. They would not require, in all probability, any new machinery for the matter of dipping matches. It may be, of course, that as the institutions are running with methods already prevailing, the longer the time they get, the more it would be to their convenience if not actually to their interests; but from the discussion so far we have learned that in respect to this change we are lagging behind most of the other countries. I cannot thoroughly appreciate the argument which the hon. gentleman advanced that there should be a delay until 1916.

The motion was agreed to, and the Bill was read a second time.

SECOND READING.

Bill (E-2), An Act for the relief of Henry Elmer Bicknell.—Hon. M. Derbyshire.

MERCHANTS SHIPPING ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of

Bill (21), An Act to amend the law relating to Merchant Shipping with a view to enable certain conventions to be carried into effect.

He said: the purpose of this Bill is to amend the law in reference to collisions and salvage at sea, so as to enable the Government to give adherance to the International Maritime Convention held in Brussels on September 23, 1910. There is an international committee made up of the shipping interests of the different countries which have adopted regulations looking to the uniform adjustment of questions of this character. It is in the interest of shipping, in the interest of safety of life at sea, that Canada should give its adherence to this convention. I therefore move its second reading.

Hon. Mr. BOSTOCK—I would like to know from the hon. leader of the Government if this Bill deals in any way with the shipping on the lakes? Is the United States a party to that convention? Does the Bill apply only as far as it affects the question of shipping on the high seas, or the reverse?

Hon. Mr. LOUGHEED—It would be the high seas.

Hon. Mr. BOSTOCK—Because it seems to me that under clause 10 the lakes are especially excluded.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BOSTOCK—Has that question been taken into consideration at all by the Government, or is all inland water navigation especially excluded from that convention?

Hon. Mr. LOUGHEED—It would scarcely be practicable, to have an international commission, or an international convention to deal with matters relating to the inland waters of Canada. Those are subjects coming peculiarly within our own jurisdiction, and upon which we can legislate to very much greater advantage than could any foreign or international tribunal. I have not made the inquiry which my hon. friend has suggested, but I would attribute the exception of the inland waters referred to in section 10 to that particular cause. However, I shall make inquiry as to whether that subject has received consideration.

Hon. Mr. CASGRAIN—Are there not some special regulations between the United States and Canada as to the navigation of the lakes?

Hon. Mr. LOUGHEED—Oh yes; for instance in boundary waters where both countries are equally interested; but this legislation looks to a very much wider scope. It deals with shipping on the high seas, which can only be regulated by a convention of all the nations interested.

The motion was agreed to, and Bill was read the second time.

SECOND READINGS.

Bill (25), An Act respecting the Manitoba and North Western Railway Company of Canada.—Hon. Mr. Watson.

Bill (56), An Act respecting The Alberta Central Railway Company.—Hon. Mr. DeVeber.

Bill (74), An Act respecting The Central Ontario Railway.—Hon. Mr. Derbyshire.

Bill (81), An Act to incorporate The Canadian Press Association.—Hon. Mr. Jaffray.

Bill (86), An Act to incorporate The Algonquin Railway Company.—Hon. Mr. DeVeber.

Bill (88), An Act respecting The London and Lake Erie Railway and Transportation Company.—Hon. Mr. Kerr.

Bill (94), An Act respecting Interurban Company, Limited, and to change its name to Rio Janeiro and San Paulo Telephone Company, Limited.—Hon. Mr. Talbot.

Bill (95), An Act respecting The High River, Saskatchewan and Hudson Bay Railway Company.—Hon. Mr. DeVeber.

HARBOUR OF NORTH SYDNEY, N. S., BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (104) an Act respecting the Harbour of North Sydney, N.S.

He said: This Bill proposes to abolish the harbour commission of North Sydney, and to vest its rights and assets in the Crown, and likewise that the Crown shall assume all its liabilities. This is being done at the instance of the Board of Trade, and of public opinion generally in that particular district. Hereafter it is proposed that the affairs of the commission shall be assumed by commissioners under the Harbour Commissioners Act.

Hon. Mr. BOSTOCK—Has the hon. gentleman any reasons why this is especially done. Lately we have been establishing Boards of Harbour Commissioners in the West, and if it is a good thing to establish these boards of harbour commissioners, it seems rather retroactive legislation to be doing away with existing boards of harbour commissioners in the East. It might be rather interesting to the country to know the reason of that.

Hon. Mr. DANIEL—I understand that the change is being made in the interest of harmony. There are two harbours there, the harbour of North Sydney and Sydney harbour, and the harbour fees are different in the two harbours. By passing this Bill the charges in both harbours will be made alike, and the fees which vessels will have to pay in North Sydney will be the same as will be paid in Sydney harbour. The object is to harmonize the harbour dues in both cases.

Hon. Mr. BEIQUE—One commission will have jurisdiction over the two harbours.

Hon. Mr. YOUNG—It would look as though they had got into some financial difficulties and the Government was coming to their relief.

The motion was agreed to, and the Bill was read the second time.

CIVIL SERVICE INSURANCE ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (111), An Act to amend the Civil Service Insurance Act.

He said: There are two features to this amending Act, one of which is to permit the female members of the Civil Service to become eligible for insurance, and the other feature is increasing the maximum amount of insurance payable upon death from two thousand to five thousand.

Hon. Mr. BOYER—Would the hon. leader not give the female members of the service the right to vote.

The motion was agreed to, and the Bill was read a second time.

CRIMINAL CODE AMENDMENT BILL.

DEBATE RESUMED.

The Order of the Day being called:

Resuming the further adjourned debate on the motion for the second reading (Bill D), 'An Act to amend The Criminal Code.'

Hon. Mr. LOUGHEED.

Hon. Mr. COFFEY—I feel somewhat timid about making a speech on this question, for the reason that I am at all times a great lover of order. It was understood, I believe, that the hon. senator from Grandville would close the debate, and it seemed like intrusion on my part to attempt to make a speech after that understanding. The hon. member from Grandville deserves credit for bringing this question of newspaper management before the country, because it gives opportunity for advancing some thoughts which may produce good fruit. Some of our publications, I regret to say, do not reach a desirable ideal. They are open to censure because of a lamentable want of good taste in the management. In almost every line of activity there is noticeable from year to year a sharp change in methods. The old is ever giving place to the new. When the right hon. member for Hastings and I were boys there prevailed a more reserved, may I say a more dignified mode of conducting a newspaper. The old methods might now be justly deemed too antiquated, while the new style inclines too much towards what we know as yellow journalism. Thirty years ago, if a paper were made up after the style now in vogue the man responsible for it would be adjudged guilty of violating the proprieties. Whilst people of refined taste deplore this excess, the great body of the public take the paper as they find it and pass no opinion. The public, however, is a peculiar quantity, and there is a good deal of truth in what John Ruskin said, that it is sometimes a big baby. Taking our Canadian papers in the mass, I believe that the men behind the fountain pens are, with some exceptions, honourable, straightforward men who give of their best to their country; and endeavour to plant in the minds of the people the practice of those high principles which tend to the honour and glory and prosperity and permanence of this country of ours, which is in every respect one of the most favoured under the sun. If there is any charge that may be made against us with some show of truth it is that we are almost irretrievably wedded to commercialism. Commerce and wealth and prosperity and general content are well enough in their way, but it would be well also if we would give some heed to the desirability of promoting a love for artistic taste in the minds of our people. Whilst many newspapers are lamentably wanting in this respect, we need not, after all, express wonderment because there is the same extravagance in almost every line of com-

mercial activity. When travelling through the country in a railway car we are wont to feel and express admiration for the beautiful scenery which nature has given us in such abundance, but many a choice spot which invites the pencil of the artist is marred by the spirit of commercialism. Upon many a beautiful eminence decked out in nature's choicest apparel may be seen immense sign-boards depicting the virtues of the latest brand of tobacco, the finest creation in the way of soap, the virtues of a special brand of lager beer, and the exhilerating effects of the contents of a bottle labelled 'Whiskey,' the most expensive monument the world ever knew. But we are a young country, and perhaps with age will come the fine artistic temperament which calls for the suppression of everything that is offensive to public taste, and we will be more inclined to follow in the footsteps of those continental countries where its violation is dealt with by the legal authorities. But presently we are wedded to commerce, and the average man in quest of the latest design in cash registers will pass a Mona Lisa with a hand waive of disdain. It is of the utmost importance that we should guard with the greatest care the morals of the rising generation, and in this good work the press could be made a powerful auxiliary. I hope my confreres will do their part. We should take vigourous methods to prevent the importation into this country of literature which has a corrupting and debasing influence. The legal authorities should be more alert in protecting us from the inroads of the corrupt and corrupting press work of the large cities of the United States and England. Periodicals for boys and girls come through our mails by the ton from other countries which are abominably immoral. To guard against the inroads of this vicious literature our legal machinery is lamentably weak. True, we have adequate laws upon our statute books, but of what avail is the law when its enforcement is inefficient. We have had many complaints, well founded, that the provincial authorities are very negligent in this regard. Instead of providing machinery for the detection and prosecution of those who are guilty of offences against the Criminal Code the Attorney General and the County Crown Attorneys are waiting for the man on the street to make a complaint. This is what you will be told when you seek an interview with the provincial officials. It is well that the hon. member for Grandville brought up this question, because it may, and I hope it will, spur on the provincial officials to greater activity. We cannot be too careful in guarding the morals of our young, and it is shocking to contemplate the dire results if we permit the immoral literature of other countries to be spread broadcast among our youth. It is to be deplored that some of our papers supply us with illustrations of persons and happenings in the Republic which are not only coarse, but decidedly harmful in every way. They have a tendency to create a morbid appetite for that class of literature which produces the vacant mind, the coarse laughter, the vulgar speech and action, the disrespect for authority, both human and divine, the unhappiness of family life, the sundering of the marriage tie and the worship of the baser passions. We should not tolerate such papers in the family circle. They are degrading. The demand for such pictures is now largely catered to by a certain syndicate in New York. The Canadian papers which reproduce these objectionable features of journalism should not be patronized by our people, and the purpose of all Canadians should be to create a public sentiment as will make such ventures unprofitable. The Irish people some few years ago adopted a unique method of dealing with this question. There came to Dublin and other Irish cities from across the Channel what is known as the 'Penny Dreadful' literature, which proved to have a debasing influence on the boys and girls of Ireland. The legal authorities were appealed to but they were either indifferent or powerless to act. The people took the law in their own hands, and gave notice to all newsvendors and booksellers that they must stop the importation and sale of the penny dreadful, otherwise the people would be advised not to transact business with them. It had the desired effect. I trust there will be an awakening to the importance of taking action in this matter. It is not, as I have said, so much the literature of our own country, but that of foreign countries, which we have reason to dread. We must keep it out of our land if we expect that the boys and girls of our day will worthily take our places when we are gone; if we expect that the boys and girls of our day will becomingly fill their places in Christian homes, ever climbing upward to attain those ideals which will make our country rich in everything that brings true glory to a nation.

Hon. Sir MACKENZIE BOWELL—The Bill is impracticable.

Hon. Mr. BEIQUE—I would suggest that the second reading of the Bill might be allowed, with the understanding that the Bill will be dropped.

Hon. Mr. McKAY (Cape Breton)—That might be the right way to dispose of it, but the Bill requires more consideration. While we all admire the zeal of the promoter, and the address which has just been delivered by the hon. member from London (Hon. Mr. Coffey), still most of us must be conscious of the fact that the whole thing is mistaken zeal. The measure is one that it will be impossible to put in operation. We are not living in an age when such an idea as that can be carried out. My hon. friend's ideals are high, and we admire them, but to give them effect in legislation is a different matter. Apart from the objects which my hon. friend has in view in regard to those pictures at which the Bill is aimed, there is a greater and more important field which he has entirely failed to recognize, and that is the mental picture which we receive from reading the literature of the day. There may be room for a good deal of discussion along these lines, but as has already been stated in this debate, the law as it stands now is adequate to meet the case. Any one who wishes to enforce it can find machinery to carry out his purpose. We cannot confine ourselves to newspapers. What is my hon. friend going to do with magazines which come into this country, many of them our best magazines? If I understand this Bill, it would exclude such magazine. The hon. gentleman's ideas may be all right, but his zeal is all wrong

Hon. Mr. WATSON—I am inclined to this, that we should give this Bill a second reading. It contains some good features and I do not agree with the hon. gentleman from Cape Breton that it will have the effect of excluding any magazines that we should admit into this country. As I read the Bill, any magazine which would come within the scope of it ought to be excluded. There are some good features to this Bill which we should retain, and I would suggest that it receive its second reading, and be referred to a committee where it can be amended, if advisable. The hon. gentleman's idea is good and many people and newspapers in the country advocate such legislation.

Hon. Sir MACKENZIE BOWELL.

Hon. Mr. DANIEL—The trouble is that if we adopt the second reading we thereby accept the principle of the Bill.

Hon. Mr. WATSON—I am in favour of the principle of the Bill.

Hon. Mr. DANIEL—After reading it the second time, all we could do is to amend it.

Hon. Mr. WATSON—We are all in favour of the principle of the Bill.

Hon. Mr. DANIEL—The idea the hon. gentleman has in submitting this Bill is good, and meets the sympathy of every member of the Senate, but it is one thing to introduce such a measure and another to adopt it. Legislation must be practical. This Bill, if put in force, would exclude almost every newspaper that is printed outside of Canada and many of the best pictorial and illustrated magazines. Now, to attempt such a thing would be an absurdity. We could not do it. If we pass the Bill, even restricting its operation to our own newspapers, the law would become a dead letter in less than six months. I quite approve of the idea that the hon. gentleman from Grandville has in his mind, in wishing to remove from the public press anything which might incite to crime. I understand and sympathize with that view, but I do not think he will accomplish his object by passing this Bill. It goes too far. The hon. gentleman having introduced his Bill and heard views of members for and against it, would be well advised if he withdrew it, and either late in the session, or next session, introduces a measure more practical in its form; he would probably meet with more success in the end. He must appreciate the fact that hon. members of this Chamber sympathize with him in his idea though they cannot vote for his Bill.

Hon. Mr. CHOQUETTE—I am glad to find that my Bill has the sympathy of everybody in this House, and I thank the House for that sympathy—but we do not make laws with sympathy alone. It is necessary not only to say that it is a good Bill, but we should pass it. If it is not a good Bill we should reject it. I am quite willing to let the Bill be read the second time now and referred to committee after Easter. In the meantime, after the debate we have had, and after the publicity that has been given the measure in the press, we will see how the public view the matter, and be

in a better position to deal with the Bill after Easter. Perhaps I may deem it best to accept the suggestion of the hon. member from De Salaberry (Hon. Mr. Beique) and withdraw the Bill and re-introduce it next session. I have not brought up this matter for mere pleasure; I am discharging a duty. The hon. member from Halifax (Hon. Mr. Dennis) treated the Bill as a joke; but the joke is on the other side, it is a very serious matter. I have furnished proofs that it is so regarded by public men and by leading newspapers. If the Bill cannot be accepted in its entirety, we may be able to so amend it, when it goes to Committee of the Whole, as to remove the objections which have been raised. I must therefore insist upon the second reading of the Bill without regarding such as an indication that the Bill has been accepted by everybody in this Chamber. If my suggestion is not adopted, I am prepared to divide the House on the Bill.

Hon. Mr. GORDON—I think the hon. member for Grandville is very much mistaken when he claims the sympathy of every hon. member in this House for his Bill.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. GORDON—Yesterday he put up an excellent argument against the publication of obscene pictures and yellow journalism, there is no doubt about that; but he did not put up any argument yesterday which would lead me to believe that there is anything in the amended Act which he proposes to put on the Statute Book any better than the Code as it now stands—none whatever. Will the hon. gentleman tell us what good purpose is to be served by prohibiting the picture of a petty criminal being published in a paper? I think he will admit, with me, that there are many petty crimes committed by people who are deterred from doing a wrongful act simply by knowing that in the event of such acts being committed by them, they will be exposed by the newspapers. Many petty criminals, I am sure, would rather go to prison for a short time than be exposed to their friends. The newspapers in this respect are carrying on a good campaign towards eliminating such crime as that; I have no doubt of that whatever. I sympathize very much with all the ideas the hon. member has with respect to this, but I submit that he has not, in this proposed Bill, covered the ground which he wants to cover.

Hon. Mr. CHOQUETTE—In committee we will do that.

Hon. Mr. ROSS (Middleton)—I would ask if the mover of this Bill would agree to drop subsections 3 and 4? If he would I would vote for it.

Hon. Sir MACKENZIE BOWELL—What is there left?

Hon. Mr. CHOQUETTE—Let us go into committee; we will discuss that, and if I can do it I shall do it with pleasure.

Hon. Mr. ROSS—If passing it now on the second reading does not affirm the principles of those two sections—

Hon. Mr. CHOQUETTE—No; everybody may consent to it in committee.

Hon. Mr. POWER—Does not the leader of the House think it better to let the Bill be read a second time and be disposed of in committee.

Hon. Mr. ROSS (Middleton)—If it is understood that we are not passing on the principle of subsection 3 and 4, I shall be willing to vote for the second reading.

Hon. Mr. DENNIS—When you pass the second reading of the Bill you approve of the principle of the Bill as it now stands.

Hon. Mr. POIRIER—Not necessarily; not the whole Bill as it is.

Hon. Mr. BEIQUE—I desire to say one word supporting the suggestion that I made. I am in favour of the principle of the Bill, but I think I would not be disposed to adopt the Bill in its present form, and it would have to be almost another Bill to receive my approval. I would not be disposed to make it a crime. I think that for the present all that should be done should be to make persons liable to a penalty on committing the offence which the hon. gentleman has in view.

Hon. Mr. CHOQUETTE—In committee we might accept that.

Hon. Mr. BEIQUE—Otherwise the Bill would have to be extended, and in other respects it would have to be restricted. I thought it would be wise to approve of the principle of the Bill, which is merely the general idea, and let public opinion assert itself between this and next session, and at that time the hon. member could present a Bill which I hope will receive the unanimous approval of the hon. House.

Hon. Sir MACKENZIE BOWELL—Hear, hear.

Hon. Mr. CHOQUETTE—The very fact of leaving the Bill to a committee to meet in three weeks, during which time the Bill will be before the public, will enable us to hear the discussion and we will know what the people want. Then we can accept the suggestion of my hon. friend, in committee. On the other hand, if we withdraw the Bill, or even if it were killed,—which I don't think it will be,—discussion would at once cease, and next session we would have to begin all over again. Hence I insist on the second reading which is just submitting the principle of the Bill as a whole without advocating any clause in particular. Three weeks from now the papers will have discussed the Bill, we will know exactly what they say about it, and will know just what position to take in that regard.

Hon. Mr. JAFFRAY—If this Bill were to come before me for a vote as it is, I would be obliged to vote against it; yet the object of the mover of this Bill is a good one, and deserves our best consideration. The proposal he has made—that it should be deferred until after the holidays and then taken up for consideration, giving time in the meantime for those amendments to be thought out and brought forward in the proper order—is what the House ought to do. I think the principle of the Bill has been generally accepted by every one who has spoken, and I think the proposal would give plenty of time for the Bill to be fairly considered. Then if there is anything objectionable it would be our business to throw it out.

Hon. Mr. CHOQUETTE—Hear, hear.

Hon. Mr. LOUGHEED—I do not wish to be thought of as one giving any factious opposition to a measure contributing to good morals, but if this Senate has a reputation for any class of legislation it is that of well-considered legislation.

Hon. Sir MACKENZIE BOWELL—Hear, hear.

Hon. Mr. LOUGHEED—It seems to me that if we are to maintain our reputation for moderate thinking, and for well-prepared and wholesome legislation, no Bill should be placed upon the table of the Senate without being of a practicable character, one that can be enforced. There is nothing that so contributes to the non-observance of law as the placing upon the statute book of legislation that cannot be enforced. I ask any hon. gentleman in this Chamber if it would be possible to enforce sup-paragraph 3, of paragraph (a). It would be utterly impossible to do it. Are we going to assent to the impracticable proposals contained in that paragraph and have this Bill as such go out to the country? Do we not attach more value to our reputation than to permit this to go abroad to be considered by lawyers, by business men, by people of practical mind, and who will at once stamp it as visionary, and as something that can not be enforced. I am not dealing with the principle of it at all now.

Hon. Mr. CHOQUETTE—Why can it not be enforced?

Hon. Mr. LOUGHEED—For the very reason that you submit every paper published in Canada—having any pictorial representation which it may place in its paper, coming within the language of that section—to be censured by a judge. Are we going to convert the courts of Canada into courts of censorship over the press of Canada. It is absurd to think of it. Are you going to establish a tyranny, a despotism, to be exercised by the courts over a free press? No such law exists in any part of the world. My hon. friend cannot point to any country in the world having a free press, where there is anything analogous to this legislation, and to say that certain judges shall be entrusted to deciding whether this, that or the other photograph shall be published, in the press, appears to my mind as an enormity, as something that cannot be enforced. You cannot possibly enforce it as against foreign publications that come into Canada, and more numerous than our own domestic publications. Those publications come through the channels of the mail and express, and so on, not only to subscribers, but by the hundreds of thousands to dealers, and are distributed all over the Dominion. What are you going to do about those?

Hon. Mr. CHOQUETTE—The hon. gentleman has nearly all that in the law already. Take clause 1, 'Any obscene document, pamphlet, newspaper, or other obscene printed typewritten or otherwise written matter,' just add to that pictures of criminals.'

Hon. Mr. LOUGHEED—That comes within the law at present, but my hon. friend overlooks the fact that under clause 3 he creates an artificial crime, a new crime by statute. That is, we say to the people of Canada that we under this Bill have

created a crime that never before under any moral decalogue existed as a crime. We not only say that to the people of Canada, but we say it to the people of the world that we in Canada have on this particular day created a new crime, and we are going to prevent Canadian publications from publishing photographs not approved of by the Bench. My hon. friend cannot say what machinery he can adopt that will prohibit the importation of foreign journals which are published within the law of foreign countries, from coming into Canada and being circulated, with the very class of photographs which this statute prohibits, so far as they relate to Canadian publications.

Hon. Mr. CHOQUETTE—The same machinery as we have now against any obscene book, pamphlet, &c.

Hon. Mr. LOUGHEED—Does my hon. friend not observe this—and I wonder that he cannot appreciate the point.

Hon. Mr. CHOQUETTE—I see the point all right.

Hon. Mr. LOUGHEED—Does he not observe that those foreign publications, newspapers, periodicals, and magazines, which by the hundreds of thousands, come into Canada, have those photographs already published? You cannot go to the judge and say: 'Here is an issue of a hundred thousand of a foreign paper with certain photographs. We want you to give us your authority, either to permit them to be sold or confiscated.' That cannot be done. It would mean tying up not only the press of Canada, but all the literature coming into Canada. My suggestion is this: If my hon. friend says that there is a principle embodied in this Bill, that is to say if there is published a certain class of photograph not contributing to good morals, and that should be surpressed, then let him mould his legislation so as to prevent the publication of those photographs in Canadian publications, and the prohibiting of their importation into Canada through foreign publications. Until my hon. friend can devise machinery which will have an equal bearing upon both classes of publication, namely domestic and foreign, then I am opposed to the Bill. I say it is futile to attempt to deal with the subject. The machinery, whatever it may be, must operate against domestic publications precisely in the same way as it would operate against foreign publications, or vice versa, because if we can flood the country with foreign publications and cannot suppress the publication of photographs in those foreign publications, then it is idle to talk of prohibiting that same thing in domestic publications. If my hon. friend will frame a Bill containing a principle contributing to good morals that can be enforced, and bring it here, I shall be glad to support it, but until he does that I shall certainly be opposed to the passage of such legislation.

Hon. Mr. POWER—The hon. gentleman expressed a doubt that any members could approve of this measure.

Hon. Mr. LOUGHEED—In its present form.

Hon. Mr. POWER—All the gentlemen opposite who have spoken have said that they are in sympathy with the object of the mover of the Bill.

Hon. Mr. DANIEL—With the object he has in view.

Hon. Mr. POWER—Well, that is his object. One is reminded of the old saying: 'It is all very well to dissemble your love, but why did you kick me down stairs.' They all symathize with the object of the mover of the Bill, but declare that his measure should be kicked out. That is a sort of sympathy which I do not think the hon. gentleman from Grandville appreciates. The hon. leader apparently overlooked paragraph 2 (ii) which is in the existing law, which provides a penalty if one circulates or causes to be circulated any picture, photographs, model, or other object tending to corrupt morals, &c. My contention is that it would not be straining the existing law to say that it covered the case which is aimed at in paragraph 3.

Hon. Sir MACKENZIE BOWELL—Does the criminal law not provide for that already?

Hon. Mr. POWER—It would not be an unreasonable construction of the law as it stands at present to say that it would cover the case contemplated by my hon. friend, but he wishes to remove doubt, and that is a wise thing to do. The contention of the hon. gentleman from Grandville is that the publication of the portraits of distinguished criminals tends to corrupt morals, and he produces opinions from leading newspaper men in Europe as well as America, to show that the tendency of the publication of the portraits of criminals is to induce others, particularly the young people, to imitate their example, so that they may become notori-

ous and get into the limelight. I fail to see any substantial reason why this Bill should not be referred to the committee. The hon. gentleman says he is willing to let it go, not to be taken up in committee until this day three weeks. Meanwhile the hon. gentleman will be able to fortify himself with any evidence or opinions favouring the measure, or any suggestions to improve it, and the hon. gentlemen who are just now disposed to vote against the second reading will have an opportunity of thinking the matter over and supplying themselves with information and argument. I am sorry the rule was not observed. We should have closed the debate yesterday afternoon and we have spent the greater part of this afternoon. I am surprised at the hon. leader of the House who is generally disposed to be considerate and meet the views of gentlemen who do not agree with him, should object to this proposal which I think is an acceptable one.

Hon. Mr. ROSS (Middleton)—I wish to say that down to subsection 2 I am in sympathy with the Bill.

Hon. Mr. POWER—That is the law now.

Hon. Mr. ROSS (Middleton)—And this is embodied in the criminal law now, but I am not, and never have been in sympathy with subsections 3 and 4.

Hon. Mr. POWER—The hon. gentleman has told us that already.

Hon. Mr. ROSS (Middleton)—It is a new departure, and I am not willing to take another course, which will seem to indicate that I approve of the principles of those two subsections.

Hon. Mr. POIRIER—I am in sympathy with the remote objects of the Bill and to a certain extent with its immediate intention, but as I have to assume the responsibility of my vote on the matter, I desire to say that if we permit the second reading to go, we affirm the principle, and we place ourselves in an embarassing position: That is, we all agree to certain clauses of the Bill and disagree as to others. If the Bill passes its second reading and goes into the hands of the committee, it will come out of it so emasculated that what is left of it will be practically what exists now, actually or potentially in the criminal law. It is much to be desired that something should be done along the line suggested by my hon. friend, but I am opposed to the creation of artificial crime. I shall not got beyond the civil range now, but I say that those crimes that are so readily created, not only by the civil laws, but other laws, lead as a rule to the commission of them, and to an increase of crime, since they, being classified as moral crime, become, if the authority that enacts them is a proper one, real defects or possibly real faults. I am not in favour of augmenting those crimes. I would suggest to my hon. friend not to put us in a position either to reject his Bill at the second reading or have it come up in committee in such a form that he would hardly recognize it as a legitimate offspring, but to allow it to be dropped, and adopt the suggestion of the hon. leader, to bring in a measure next session, after mature deliberation, a Bill more to the point, which we could adopt and which would be practical.

Hon. Mr. CHOQUETTE—The debate has been twice reopened. According to the rule I have a right to close it to-day. I have no objection to the discussion, because the more it is discussed the better for the country. I am sorry the hon. leader of the Government did not make his remarks before I spoke yesterday. I have the highest respects for his opinion, but if I had known his arguments yesterday I could have answered him very well. I think I have some correspondence which will show that there is a law already existing in some countries which prevents the publication of photographs of criminals. I think I have a letter or two on the subject. I should also have told the hon. gentleman that he is greatly mistaken when he says the judge will determine what kind of pictures may be published, and especially those in foreign newspapers and magazines. I can tell him that it is only necessary under the present law to complain that foreign magazines or newspapers are publishing obscene pictures, to have them excluded. We have only to apply to the court to have the law enforced, and I am only adding to the present law the provisions contained in this Bill. However, the details can be better discussed in committee.

Hon. Mr. LOUGHEED—As quite a number of members are opposed to the principle of the Bill contained in clauses 3 and 4, I would suggest to my hon. friend that he should strike out those two clauses now. let the Bill be read a second time and sent to a committee of the whole House, where my hon. friend can have these clauses redrafted, and possibly made acceptable to the House.

Hon. Mr. CHOQUETTE—The balance of the Bill is in the present law. The only proposition I am willing to make is this: Let us have the second reading to-day, and move that the Bill be referred to a committee of the whole House, three weeks hence, when I will be ready to listen to any suggestion which may be made to render the Bill more practical—though I think myself that it is quite practicable now. I am willing to accept any suggestion which will improve the Bill, and I make this statement, that I shall not consider anybody is committed to the principle of the Bill by consenting to the second reading now. Any one can oppose the principle of the Bill, in committee or at the third reading. We are doing that every day with other Bills. In three weeks from now we will know exactly where we stand and it may be that I shall not only accept the amendment, but decide that it would be better to withdraw the Bill for the present, and introduce it in another form next session.

Hon. Mr. DENNIS—The principle of the Bill is to create a new crime. We have to vote either for or against that. I want to put myself on record as against affirming that principle at the present time.

Hon. Mr. BOYER—It strikes me that it would be well to mention here an experience we had in Montreal. A year ago the archbishop of Montreal, seeing that the legislators were either unwilling or incapable of passing legislation to protect the morals of the people, called a section of the Montreal press to meet him at dinner, and there he made each and every one of them promise that in future they would not publish the portraits of criminals. He explained to them his reasons for making the request. The French-Canadian press of Montreal is almost free from this taint. When asked the reason why they insisted on publishing those pictures, the answer was: 'Well, since Mr. Brown does it, there is no reason why we should not. Competition is the life of trade.' The competition having ceased, the evil ceased. There is that improvement in our newspapers. I see no reason why we should not follow suit and devise some means whereby public morals will be protected. I am in favour of free journalism as much as possible. Let me illustrate a case in which a great deal of harm has been done. A correspondent of the Canadian press sent out the details of some divorce cases—selected material from the dung-heap of divorce—and mentioned half a dozen names of people who were either respondent or petitioners in such cases. Among them was the name of a young Canadian who had made his mark in the service of the empire, a young man that all Canada respects and admires. For some reason or other there was a misunderstanding between himself and his wife. His wife applied for restitution of conjugal rights. Whether she is right or wrong I cannot say. Here is a Canadian who has occupied a prominent position, who is branded forever as the respondent in a divorce case. We shall probably never hear the decision in the case, or know whether he was held to be in the right or the wrong.

Hon. Mr. DENNIS—How are you going to prevent the publication of such incidents?

Hon. Mr. BOYER—Why publish it at all?

Hon. Mr. DENNIS—That has nothing to do with this Bill.

Hon. Mr. BOYER—I dare say it has nothing to do, but it is an evil; it is a thing by which the public morals do not gain anything.

Hon. Mr. DENNIS—If you are going to suppress the news, that is another story.

Hon. Mr. BOYER—The reputation of Canada is not increased by it, and after all, what is to be gained? Ten days ago a terrible murder was committed in Montreal by a gang of blackguards, who murdered one policeman, and so severely wounded another that he will very likely die. Next day a certain newspaper in Montreal published portraits of the supposed criminals, and the night after they had portraits of those supposed criminals which were altogether different from those published the first evening. They are all fictitious.

Hon. Sir MACKENZIE BOWELL—This law was not made for that case.

Hon. Mr. BOYER—Simply because Brown does it, Smith follows suit, not wanting to be behind in yellow journalism; every night we are treated to these things. What is to be gained by it? The London Times does not publish portraits, and it is read the world over; you are not afraid to leave it on the table of your house where your youngest daughter can read it. This thing has gone too far. I quite admit that we should have a certain liberty; but there

is such a thing as the restricting of liberty. I can cite a personal case. The daughter of a friend of mine was to be married. A lover's quarrel intervened between the two. I went there to sympathize with my friend, and when I was there the door bell rang and a newspaper reporter who had heard of the misfortune appeared. My friend said to me that he was not in a position to answer the door and asked me if I would be kind enough to take his place. I said I would do so with pleasure, and on receiving the gentleman I asked him where he got his information. He refused to state. I asked him: 'What is your object? How does a personal misfortune concern the public?' He replied that it would be quite an inducement for others to read his paper if he had a photograph of the young lady. I replied: 'I am very sorry; it is a slight misunderstanding; there is no photograph to be had, and there is no misunderstanding.' Two days afterwards the quarrel was made up, the marriage took place, and to-day the couple are perfectly happy. Now, if that picture and the details, which were childish, had been given to the press, what would have been the consequence?

Hon. Mr. LOUGHEED—The proposed Act would not cover that case or any of the cases you have mentioned.

Hon. Mr. DENNIS—It has no connection with it at all.

Hon. Mr. BOYER—Well, if I cannot be understood, I shall stop.

Hon. Mr. LOUGHEED—That is the case.

The Senate divided on the motion for the second reading of the Bill, which was adopted by the following vote:

CONTENTS:

Hon. Messieurs.

Beique,	Tessier,
Fiset,	Derbyshire,
Jones (Sir Lyman Melvin),	Roche,
Jaffray,	De Veber,
Mitchell,	Young,
Kerr,	Watson,
Choquette,	Yeo,
Bostock,	Riley,
Power,	Beith,
Frost,	Dessaulles,
Coffey,	Talbot.—22.

NON-CONTENTS:

Hon. Messieurs.

Lougheed,	Gordon,
Bowell (Sir Mackenzie),	McLaren,
Poirier,	Taylor,
Dennis,	Murphy,
Curry,	Corby,
	McKay (Cape Breton),

Hon. Mr. BOYER.

Hon. Messieurs.

Mason,	Daniel,
MacKeen,	Legris,
Baird,	DeBoucherville.—18.
Ross (Middleton),	

The Bill was then read the second time.

BILLS INTRODUCED.

Bill (82), An Act respecting the Kettle Valley Railway Company.—Hon. Mr. Bostock.

Bill (12), An Act to incorporate the North American Insurance Company.—Hon. Mr. Bolduc.

The Senate adjourned until 3 o'clock tomorrow.

THE SENATE.

Friday, March 27, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THIRD READINGS.

Bill (A), An Act to amend the Railway Act with respect to the Deposit of Plans.—Hon. Mr. Casgrain.

Bill (N), An Act respecting the Rainy River Radial Railway Company.—Hon. Mr. Watson.

Bill (O), An Act respecting the Pacific Trans-Canada and Hudson Bay Railway Company.—Hon. Mr. Davis.

Bill (67), An Act to incorporate the Norfolk and Elgin Railway Company.—Hon. Mr. Ratz.

Bill (72), An Act respecting the Calgary and Fernie Railway Company.—Hon. Mr. De Veber.

Bill (73), An Act respecting the Canadian Northern Railway Company.—Hon. Mr. Watson.

Bill (96), An Act to amend the Weights and Measures Act.—Hon. Mr. Lougheed.

Bill (E-2), An Act for the relief of Henry Elmer Bicknell.—Hon. Mr. Derbyshire.

SECOND READING.

Bill (A-2), An Act respecting the Saskatoon and Hudson Bay Railway Company.—Hon. Mr. Davis.

VOLUNTEER BOUNTY ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The Order of the Day being called:

Committee of the Whole House on (Bill 98), An Act to amend the Volunteer Bounty Act, 1908, and amending Acts.

Hon. Mr. BOSTOCK—Will the hon. leader permit this order to stand until Tuesday next. Some hon. members wish to say a few words with regard to it, and they are not present to-day.

Hon. Mr. LOUGHEED—I should be very glad to meet the wishes of my hon. friend, but this order has been adjourned on three different occasions to meet the convenience of the hon. gentleman from Prince Albert. Could we not put the measure through committee and on the third reading the hon. gentleman from Prince Albert could make any remarks which he may have to make.

Hon. Mr. BOSTOCK—That would be agreeable.

The House resolved itself into a Committee of the Whole on the Bill.

(In the Committee.)

On clause 1:

1. This Act may be cited as the Volunteer Bounty Act, 1914.

Hon. Mr. WATSON—The minister might explain the meaning of the Bill.

Hon. Mr. LOUGHEED—The object of this Bill is to extend the time for surrendering the certificates held by beneficiaries to the department, and thus receive the sum of $500. It does not extend the time for placing the bounty warrants upon land; that time has already expired. Some misconception seems to have arisen in the minds of those holding certificates as to the legislation of last year requiring them to deliver up their certificates and to get the $500 in lieu thereof. Now it is proposed to extend the time until the end of this year.

Hon. Mr. WATSON—How many bounty warrants does this affect ?

Hon. Mr. LOUGHEED—I think there are 48 outstanding.

Hon. Mr. WATSON—Has the hon. gentleman any information as to how many people hold those forty-eight different certificates ?

Hon. Mr. LOUGHEED—I understand that nearly half those certificates are held by the parties originally entitled to them, and I think the others have passed over to the assignees of the original parties.

Hon. Sir MACKENZIE BOWELL—Sold to them, I suppose ?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BOSTOCK—Are the holders of these certificates who would have been entitled to land in the first instance, now to receive this $500 in lieu of the land ?

Hon. Mr. LOUGHEED—Yes. No longer can the holders take advantage of the warrants upon the land. That time has expired, so that those holding the certificates now, should only be entitled to receive $500.

Hon. Mr. WATSON—This only applies to South African bounty warrants ?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. YOUNG—It gives them one year longer to present their certificates.

Hon. Mr. LOUGHEED—To surrender their certificates and take the $500 from the department.

Hon. Mr. WATSON—The other half of the certificates still out are held by speculators who are not able to sell them, and this legislation is helping the speculator out to the extent of $500.

Hon. Mr. LOUGHEED—It must not be overlooked that those warrants were transferable.

Hon. Mr. WATSON—Yes, I know.

Hon. Mr. LOUGHEED—And the transferees are, of course, entitled to whatever rights the law may give them, viz.: the rights of the original holders, and while such a possibility might arise as that pointed out by my hon. friend from Portage la Prairie, yet the law gave them that right.

Hon. Mr. WATSON—Yes, they have the right. Of course it is too late now to suggest it, but the allowing of the transferring of the certificates was, in my opinion, a mistake. The moment those certificates were granted, speculation immediately started, and the scrip was held at about $1,000 if any one wanted to purchase a certificate and place it on the land. The land boom fell flat and the scrip was left on the hands of the speculators. In ordinary cases the speculators would have had to take the loss with the profit, but in this particular case the Government has seen fit—although I do not object to it very much—to redeem this scrip at $500.

On clause 3:

3. Section 6 of the Volunteer Bounty Act, 1913, is hereby repealed and the following is substituted therefor:

'6. Schedule B to the said Act is amended by striking out the figures '1912' in the twelfth

line thereof, and substituting therefor the figures '1914.'

Hon. Mr. POWER—Perhaps the hon. gentleman will explain that clause.

Hon. Mr. LOUGHEED—The third clause makes provision for the extension until the 31st December, 1914. This is the clause dealing with the extension.

Hon. Mr. POWER—That is an extension of two years.

Hon. Mr. LOUGHEED—No, it is only until the 31st December, 1914.

Hon. Mr. POWER—But the figures now are 1912.

Hon. Mr. LOUGHEED—Yes, but we are repealing that date, and giving an extension of less than one year.

Hon. Mr. WATSON—From the present time?

Hon. Mr. LOUGHEED—Yes; the time expires on the 31st December, 1914.

Hon. Mr. WATSON—There must have been a time when this scrip was not worth anything at all; when it was not redeemable at all?

Hon. Mr. LOUGHEED—Yes, because they had a right to file on the land. I think the right to file on the land expired then.

Hon. Mr. POWER—There is no land involved in this.

Hon. Mr. LOUGHEED—No, but there is under the Bounty Act of 1908 and amending Acts.

Hon. Mr. WATSON—Could the hon. leader tell us the exact amount of scrip held by the original scrip holders?

Hon. Mr. LOUGHEED—There are forty-eight certificates still outstanding. Of these twenty-eight are recorded in the names of duly appointed substitutes, who cannot assign the certificates or appoint other substitutes; the remaining twenty, with the exception of five, were not delivered, having been returned to the department because of insufficient addresses.

Hon. Mr. WATSON—But the twenty-eight are entirely in speculators' hands.

Hon. Mr. LOUGHEED—Yes, in the names of substitutes. They would be transferees under this Act, entitled to the rights of the original holders.

Hon. Mr. WATSON—The time is extended from 1912 to 1914. There must have been a period after 1912 when those certificates were practically worthless. There was no provision made under any statute to redeem them, or to apply them on land. I am rather afraid that a lot of scrip has been picked up by speculators for a very small sum of money, because they could represent to the original owners that they were worthless, as there was no provision made for their redemption. Now this Bill makes provision for redemption, but is $500 not too much? Speculators probably bought this scrip for $50 or $100. We should have some information as to the time that elapsed and the prices paid to the people who originally held them, for those certificates.

Hon. Mr. LOUGHEED—Last session an extension of time was granted until October 31, 1913, within which time those who held these certificates—they were then land certificates—might file upon the land or secure the $500. It was optional up to that time. This legislation no longer continues the right to file upon the land, but only gives the right to the $500.

Hon. Mr. WATSON—But there was no right to get a dollar for the scrip after October last year. It was worthless.

Hon. Mr. LOUGHEED—Yes, upon the expiration of that time the right lapsed, but misapprehension existed in the minds of many who held script as to what their rights actually were. That is quite apparent from the correspondence which took place between the holders and the department. The impression was that they continued to possess the same force as formerly; of their being entitled to the $500 on surrender of certificates. I need not point out to hon. gentlemen the difficulty of impressing upon the public the contents of the statute. Those people seemed not to know what their rights were, but there is a finality about this, and it is not unreasonable that if those people were entitled up to 31st October last to file their warrants upon the land, or to accept $500, and not having the knowledge as to what their rights actually were, a further time should be given. It is needless to say that had they been aware that their rights would have lapsed on 31st of October last they would not have hesitated to come in. The fact of their not having come in speaks for itself.

Hon. Mr. WATSON—Or their ability to get new legislation.

Hon. Mr. LOUGHEED—I doubt if any of them would have waited for new legislation on account of the uncertainty of their getting new legislation, but I think this will give finality to the whole matter.

Hon. Mr. KERR—There is another view of the question which should not be lost sight of. If those who did not apply before the date named, have since applied, it does not seem unreasonable that those who have applied after the expiration of the time should get rights which others, equally entitled to them, will not receive simply because they did not make the application until it was too late. In other words, if the Government are going to open the door at all they should open it to all alike.

Hon. Mr. LOUGHEED—It gives the right to all holders of certificates to receive $500. It does not bar the right of any one holding a certificate to receive that amount for it, at any time before the 31st of December next.

Hon. Mr. WATSON—Will the hon. gentleman obtain for the Senate a list of the holders of certificates, before we reach the third reading of the Bill ?

Hon. Mr. YOUNG—Up to the 31st October last holders of certificates have the option either to file on land or get $500. Under this Bill their right is restricted to exchanging the certificate for $500. We are simply renewing part of the privilege which expired in October by saying that up to 31st December next holders of certificates may exchange them for $500. The right is confined to that.

Hon. Mr. WATSON—You are making this scrip worth $500 whereas it was not worth anything after October last.

Hon. Mr. THOMPSON—As my hon. friend opposite has said, many people do not understand the statutes, but there are some people who do understand them; knowing that the time for using the certificates expired last October, they have been speculating in the scrip. Probably some of us, if an opportunity came, might be inclined to take advantage of such a chance to speculate.

Hon. Sir MACKENZIE BOWELL—Ever since these certificates have been granted they have been the subject of speculation; many a poor fellow has sold his certificate for a very small sum. This was also the case when the Ontario Government granted 160 acres of land to those who had participated in the Fenian raid. Some obtained as high as $2,000 for the scrip; others who knew very little about its value, sold it for $40 or $50. Such has always been the case in connection with these bounty laws. People knowing the value of these certificates would go amongst the holders of them and buy them up. There may have been cases like that one mentioned by one hon. gentleman, of people who had died and the land obtained by the widows. Sometimes when their husbands died, after all the necessary papers were filed in Ontario, in such cases the widow was granted the right to locate the lands. I dare say there are many cases of that character in connection with the South African bounty. If it were at all practicable, I should take the view that has been expressed by those who desire to prevent speculators from getting those certificates, but if these speculators bought the scrip under the law, and hold it legally, I do not see very well how we can reach them.

Hon. Mr. WATSON—There is no parallel between the case of the Fenian raid scrip and the South African scrip. The Fenian raid scrip was not issued until some 55 years after the raids; consequently many entitled to the scrip were dead, and others did not know they were entitled to a share in the bounty. But in the case of the South African bounty, the scrip was granted immediately after the close of the war, and I venture to say very few of those entitled to scrip did not know their rights. Or if any were in ignorance of their rights, speculators would soon inform them. The scrip that has not been located is simply held up by speculators who knew that legislation such as this would likely be passed this session.

Hon. Mr. BOLDUC, from the Committee, reported the Bill without amendment.

The Senate adjourned until Tuesday next at 3 o'clock.

THE SENATE.

Tuesday, March 31, 1904.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (J-2), An Act respecting the Berlin, Waterloo, Wellsley and Lake Huron Railway Company.—Hon. Mr. Bostock.

Bill (K-2), An Act respecting the Western Dominion Railway Company.—Hon. Mr. Talbot.

THIRD READINGS.

Bill (E), An Act to incorporate The National Council of Women of Canada.—Hon. Mr. Kerr.

Bill (60), An Act to incorporate The United Empire Loyalists' Association of Canada.—Hon. Mr. Kirchhoffer.

Bill (R), An Act respecting a Patent of John Roger Arnoldi.—Hon. Mr. Kerr.

Bill (76), An Act to incorporate Les Sœurs de la Charité l'Hôpital Sainte Antoine de Le Pas.—Hon. Mr. Bolduc.

Bill (66), An Act respecting the Patent of the National Wood Distilling Company.—Hon. Mr. Derbyshire.

Bill (51), An Act respecting the Bronson Company.—Hon. Mr. Belcourt.

Bill (46), An Act respecting The Erie, London and Tillsonburg Railway Company.—Hon. Sir Lyman Jones.

VOLUNTEER BOUNTY ACT AMENDMENT.

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of Bill (98), An Act to amend the Volunteer Bounty Act, 1908, and amending Acts.

Hon. Mr. DAVIS—I am very sorry that when this Bill came up for second reading I was unavoidably absent. I should have liked to have obtained some information from the hon. leader of the House in reference to the matter. As a matter of fact I cannot understand what object the Government has in giving a $500 bonus for this scrip; because that is practically what the thing amounts to. One of the objects in giving the scrip was to reward the volunteers who had gone to South Africa; they were rewarded by giving them a certain amount of land under settlement conditions. Such plan would be a benefit to the country because it would increase the settlement on the land; but to-day there is not one piece of scrip in the hands of the original holders. As soon as there was a rumour abroad that scrip was to be granted to the South African volunteers, speculators got busy; some scrip certificates were bought at $100, $200, and some for even less. These certificates are in the hands of a few speculators. This measure is not being passed for the benefit of the South African veterans. If it were being passed for their benefit nobody would agree to it quicker than I would. The men who risked their lives in South Africa should have some recognition, although the time is coming when we will have to stop giving these bonuses. We may have to send a contingent to Ireland some of these days; in that case will the Government give its members scrip, and redeem it later on in this way?

Hon. Mr. WATSON—Which side would they fight on?

Hon. Mr. DAVIS—These speculators held the certificates for high figures until the time limit was up, and something had to be done. They managed to bring influence to bear on the Government to have the time extended. Last year it was extended, but on account of the unfortunate collapse of certain speculations in western lands, the speculators find it almost impossible to sell these certificates.

Hon. Mr. CASGRAIN—Hear, hear.

Hon. Mr. DAVIS—Now they come to the Dominion Government and want to get their hands into the treasury and obtain $500 for each certificate of scrip.

Why should the Government of this country hand out $500 to a speculator? In buying this scrip he took his chances on it; it might have been worth a thousand dollars or it might not have been worth 1,000 cents. Like any other speculator, he bought it as a speculation. Now, when he finds that the time is up, and that he cannot sell it out in the West because the land boom is off, he comes down to the Government and says 'Open up the treasury and hand me out $500.' There is no justification for this; we cannot open up the treasury and hand out money to every speculator who gets into trouble. Every speculator in town lots out West might as well come to the Government and say, 'I bought some lots for a rise, but they didn't rise; now I can't dispose of them, and I would like you to open up the treasury, and let me get my hands into it.' Speculators in town lots have just as much right to come and ask for $500 or $1,000 on a lot, as these speculators have to ask for money on this scrip. This measure will not do any good to the volunteers who went to South Africa; it is merely intended to open up the treasury, and hand out this money to the speculators.

Hon. Mr. CLORAN—I thoroughly agree with the views just expressed by the Senator from Prince Albert. I appreciate the action of the Government in recognizing the duty it owes to those men who went out to South Africa to defend the interest of the empire; but why the Government should be called upon, by this legislation, to recognize the demands of speculators is more than the ordinary individual can understand. It would be a different matter if this Bill contained a provision that $500 should be paid to the original owner of the scrip—the veteran: in that case the country would approve of the action of the Government.

Hon. Mr. WATSON—To himself or his heirs.

Hon. Mr. CLORAN—To the volunteer himself; or, if the volunteer has died in the meantime, to his wife, children, or legitimate heirs. These should be entitled to the recognition demanded under the provisions of this Bill. But to extend generosity to speculators, is more than the country will stand; the Government ought to be wise and prudent enough to understand that. We fully appreciate the action of any government, in recognizing the debt due to the old soldiers of the country, but we do not and will not appreciate or sanction, if we can help it, the passage of any legislation that will recognize the speculation of individuals who have rendered no service to the country, but who, on the contrary, have probably done a great wrong by buying up this scrip and depriving the volunteer of the full measure of his rights. The suggestion I have made is a fair proposition, and appeals to the honesty of people in this country. The people in the West do not want to see speculators enriched at their expense, out of the treasury of this country. The hon. leader of the Government ought to take this matter into very serious consideration. It is a matter of honesty between the Government and the people; between the Government and the soldiers of the country.

The motion was agreed to.

The Bill was read the third time, and passed.

SECOND READINGS.

Bill (F-2), An Act for the relief of George Gracie Smith.—Hon. Mr. De Veber.

Bill (G-2), An Act for the relief of Harry Cracroft Pugh.—Hon. Mr. Derbyshire.

Bill (H-2), An Act to incorporate The Prudential Life of Canada.—Hon. Mr. Young.

WHITE PHOSPHOROUS MATCHES BILL.

IN COMMITTEE.

The House resumed in Committee of the Whole consideration of Bill (103), An Act to prohibit the manufacture and importation of matches made with white phosphorus.

(In the Committee.)

On the 3rd clause:

Hon. Mr. BOSTOCK—Can the hon. leader of the Government give us information as to what quantity of material for the manufacture of this class of matches the manufacturers have on hand, and what time they are likely to require to use up that material? The hon. gentleman was to have the information for us at this stage.

Hon. Mr. LOUGHEED—I did not understand that my hon. friend asked for information upon that point. I cannot give him the statement he desires. I do not know whether the Government possess the required information.

Hon. Mr. BOSTOCK—My question has reference to the date at which the law will come into force. I want to know to what extent it might injure the manufacturers, if it were put in operation on the 1st of January next, instead of the 1st of January, 1916.

Hon. Mr. LOUGHEED—We might go through the Bill till we reach the last clause, which deals with this matter, and I shall make inquiry of the minister in charge of the Bill and ascertain if he has any information on the subject. We could go into committee again later on.

Hon. Mr. DAVIS—What is the object in stopping the manufacture.

Hon. Mr. CASGRAIN—People poison themselves eating the sulphur.

Hon. Mr. LOUGHEED—I might instance a murder in Prince Edward Island in which a mother poisoned her three children through the use of white phosphorus. On one or two other occasions as related in court, this substance has been used as a cheap poison for the purpose of committing criminal acts; it is very desirable that white phosphorus should not be made available for any purpose.

Hon. Mr. DAVIS—You might as well stop the importation of Rough on Rats, or Paris Green, which is used to kill potato bugs.

Hon. Mr. LOUGHEED—No, because matches are accessible to everybody, but everybody cannot obtain Paris Green or Rough on Rats.

Hon. Mr. DAVIS—People can buy any of these poisons. It is a weak argument to say that this Bill is desirable because of the fact that somebody poisoned a child in Prince Edward Island. I think we should stop the manufacture because it is injurious to the health of the people working in the factories, but I do not think we should be prohibited from importing them so long as other countries are manufacturing them.

Hon. Mr. LOUGHEED—In almost every other country they have stopped the manufacture of white phosphorus. Why should Canada be prohibited from manufacturing it, if foreign countries manufactured it and shipped it into Canada? It is desirable that our legislation should place the manufacturer in Canada on as good a basis as the foreign manufacturer.

Hon. Mr. DAVIS—The idea of this legislation is to prohibit the manufacture of this substance because it is injurious to the health of the employees in these factories, but I cannot see any reason why we should say that these matches should not be imported into Canada.

Hon. Mr. WATSON—I do not at all sympathize with the arguments advanced by the leader of the House. During a discussion in the House of Commons medical men testified that the fumes of these white sulphur matches were injurious to health, though in a lesser degree injurious than the harm suffered by those employed directly in the factories. If we stop the importation of everything which could be used as a poison, we would be going far afield.

Hon. Mr. CLORAN—Does the Bill go as far as to say that the material itself, white phosphorus, shall not be imported—I am not saying for the preparation of matches, but for any other purpose.

Hon. Mr. WATSON—No.

Hon. Mr. CLORAN—So that white phosphorus can come into the country.

Hon. Mr. WATSON—Yes.

Hon. Mr. CLORAN—White phosphorus comes into the country in its most dangerous state, but I do not see that the match itself, when it is prepared elsewhere, and so does not affect the health of the people of this country, should be prohibited. I am not in favour of one match more than another, but I dislike restrictions on trade except when such are absolutely necessary. Under the circumstances, the department and the leader of the Government have not shown that any benefit was to be derived from the prohibition of the importation of white phosphorus. This is a restriction on trade and Parliament ought to be very careful in putting restrictions on trade, even on matches, especially is this so when the Government allows the raw material, the dangerous substance itself, to come in. I fail to see that there is any degree of prudence in the legislation. If by the prohibition of the importation of the matches, any benefit would come to the health of the people of this country, then let it be done, but no proof has been adduced, no affirmation made that these imported matches would poison or endanger the health of the people. True, as pointed out by the leader of the Government, in a certain case this poison was taken off matches and used to destroy human life; but that is only an accident, only an incident in a lifetime, in the history of a country. What I find fault with is that restrictions of any kind should be placed on trade.

Hon. Mr. DAVIS—If these matches were not in ordinary use in the country, there would be no necessity of clause 4. Apparently the people of this country are using these matches and the business people of the country are selling them. That being so, while it is perfectly right to prohibit the manufacture because it is injurious to the health of some of the people who are forced to work in those factories, why should we go so far as to say that we prohibit the importation of these matches when it is not going to injure the health of the people of Canada any more than such things as Paris green or Rough on Rats. I cannot see the use of the legislation contained in this clause.

Hon. Mr. LOUGHEED—It may be a comfort to my hon. friend if I tell him that this legislation is practically similar to that which has passed, not only in the United States, but in almost every country in Europe. In 1906, at the International Conference held in Berne, Switzerland, the matter received consideration such as is outlined in this Bill, and an international convention was drawn up providing for

prohibiting, in the countries concerned, the importation and manufacture of matches made with white phosphorus. The convention was accepted at the outset by Germany, France, Holland, Switzerland, Denmark, Luxemburg and Italy. Afterwards Great Britain came into it. In 1908 nearly all the British possessions entered into the convention; then also the United States, likewise all the colonial possessions of France; in fact there is scarcely a civilized country that has not given its adherence to this convention, the terms of which are along the lines of the Bill—prohibiting the importation, manufacture and sale.

Hon. Mr. DAVIS—My hon. friend puts it in that way, that we are going to assist in trying to boycott or stamp out the manufacture of these matches in any part of the world—

Hon. Mr. WATSON—Made from white sulphur.

Hon. Mr. DAVIS—Yes; that is a horse of another colour; there might be some sense in that, but to say that we are going to prohibit the importation of matches of that kind, when they are used by the people here, for no other reason than that they assume that they are going to poison some children here and there, is to my mind a very foolish piece of legislation. I draw attention to my hon. friend's own statement and would like to ask why clause 4 is needed, if Canadian manufacturers are not manufacturing those matches? He says they are not manufactured in civilized countries; we must assume that they are not being manufactured in uncivilized countries, for I do not suppose any Indians are manufacturing these matches—so that, according to his own statement, none of these matches are manufactured. If so, what do we want of this clause?

Hon. Mr. CLORAN—In view of the statement by the hon. leader of the Government, that the manufacture and importation of these matches is prohibited in nearly every civilized country of the world, owing to the national convention, it would be curious and interesting to know what country on earth is manufacturing them. If Germany, Great Britain, the United States and nearly every civilized country in the world does not, where do they come from? Is the Government in a position to tell us where these matches are manufactured?

Hon. Mr. DAVIS—By the wild men of Borneo.

Hon. Mr. CLORAN—As a matter of interest, and to satisfy curiosity, the Government ought to be able to tell the country where these blooming matches are manufactured.

Hon. Mr. POWER—I do not think that it really makes any difference where they come from. I suppose my hon. friends are opposing this clause because they think it savours of protection; but, inasmuch as the Parliament of England, after due deliberation, entered this international agreement, we are quite safe in following their example.

The clause was adopted.

On clause 6, providing for petition for compulsory license.

Hon. Mr. POWER—Is not that a rather extraordinary step?

Hon. Mr. LOUGHEED—As I pointed out the other day, the policy is an excellent one. It seems to me that no patentee should be permitted to enjoy his patent if he does it to the detriment of the community; there is no reason why the Government of the day should not reserve to itself the right of granting a license upon reasonable terms, that is upon terms as to the compensation of the patentee, to permit of manufacturers using whatever may be the subject matter of that patent. That is what this clause particularly has in view; if any one has a patent to prevent the manufacture of matches out of material other than white phosphorus, no injury is being done to that patentee if the Government should exercise discretion in issuing licenses subject to compensation being paid to him for the use of that particular material in the interests of the public.

Hon. Mr. CLORAN—Is that not a dangerous principle to introduce in legislation?

Hon. Mr. LOUGHEED—We will take chances on it.

Hon. Mr. CLORAN—That is just it, but as a matter of principle is it not dangerous? If I have a patent for a certain invention which may be a benefit to the human race, can anybody come and take my goods from me?

Hon. Mr. WATSON—He has to pay for it.

Hon. Mr. CLORAN—No government can come into my house and take my goods without my consent, no matter how much profit they may yield me. Is it not a dangerous principle to introduce into legislation? May it not become oppressive on other occasions?

Hon. Mr. LOUGHEED—The public get the advantage of it.

Hon. Mr. CLORAN—I know that, but will the Government say they are prepared to apply that principle to every patent? I am not raising any special objection, but I am pointing out the difficulty that may arise in the future. You are introducing dangerous legislation.

Hon. Mr. POWER—It seems to me that this goes a long distance. The power is given apparently to the Commissioner of Patents, from whom there is no appeal; he may 'Order the patentee or other interested party to grant a license' on such terms as he 'may consider just.' There is a proviso:

Provided that the commissioner may, if he thinks fit, and shall on the request of any one of the parties to the proceedings, call in the aid of an assessor, specially qualified, and hear the case wholly or partially with his assistance.

Of course that does protect the interest of the patentee to some extent, but there should be an appeal to some court outside against the decision of the commissioner.

Hon. Mr. DAVIS—If, as I assume, this right is going to be granted because the Government practically takes away the business of those who have been using white phosphorus, and it is intended to provide that they can go on manufacturing with some other material, it is only fair. If the Government is going to interfere with a person's right in a patent in the public interest, then the Government should pay the man injured through the taking away of his patent rights. If a man has a patent which the Government should acquire in the public interest, he ought to be paid all it is worth.

The clause was adopted.

On clause 10:

10. Every person who refuses to admit, or who obstructs or impedes an inspector, and every person who aids and assists him therein, shall be liable on summary conviction to a penalty not exceeding five hundred dollars and costs.

Hon. Mr. WATSON.

Hon. Mr. CLORAN—Supposing he is fined $500 and does not pay it, what has the judge to do?

Hon. Mr. LOUGHEED—The Criminal Code provides for that.

Hon. Mr. CLORAN—The Criminal Code cannot make provision for a special law. All that a judge could do under this clause would be to fine the offender $500 and costs. He cannot impose a sentence of a term in jail if the fine is not paid. The criminal code cannot come to his aid. The hon. gentleman had better refer the Bill back to the department, and have it put in proper shape. He should point out the dangerous principle involved in this legislation. I wish to point out again that it is a dangerous principle to give any man the power to go into another man's place of business and take his goods without his consent, and without proper compensation. Here is a clause which is absolutely ineffective—not worth the paper it is printed on.

The clause was allowed to stand.

On clause 11:

11. Every person who violates any provision of this Act, or of any regulation made thereunder, in respect of which no penalty is hereinbefore provided, shall be liable on summary conviction to a penalty not exceeding five hundred dollars and costs.

Hon. Mr. DAVIS—How will the $500 be collected?

Hon. Mr. LOUGHEED—The Criminal Code provides for that.

Hon. Mr. POWER—Inasmuch as the hon. leader said he proposed to hold over clause 13, might we not hold this over as well? I think there is a good deal of force in the objection.

Hon. Mr. LOUGHEED—The Criminal Code has the most elaborate provisions for the enforcement of penalties, and it is not necessary to repeat them.

Hon. Mr. CLORAN—There is not the slightest doubt the Criminal Code has all the necessary machinery to enforce the law, as far as the provisions of the Criminal Code are concerned, when they are violated, but a violation of this special Act is no violation of the Criminal Code as it exists to-day. Why the leader of the Government, who is a legal luminary, does not appreciate this fact, I do not know. I know whereof I speak. In certain special Acts passed by the province of Quebec, the legis-

lature neglected to put in any provision for enforcing the penalties provided. Here is a penalty which may be ineffective.

Hon. Mr. POWER—I direct the attention of the leader of the House to the fact that it is not stated in any of the clauses that the person who does these things shall be guilty of a criminal offence. If you say that, then the Criminal Code will apply, but as the clauses stand it is possible the court might not be able to enforce the law.

Hon. Mr. LOUGHEED—I shall look into it.

The clause was allowed to stand.

Hon. Mr. GORDON from the committee reported that they had made some progress with the Bill and asked leave to sit again.

MERCHANT'S SHIPPING ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into:

Committee of the Whole House on Bill (21), An Act to amend the law relating to Merchant Shipping with a view to enable certain conventions to be carried into effect.

(In the Committee.)

Hon. Mr. BOSTOCK—Can the hon. leader of the Government give us any idea what the present law in Canada is, with regard to these matters?

Hon. Mr. LOUGHEED—The main object of the legislation is to empower the Government of Canada to give effect to their adherence to the International Maritime Convention on the subjects mentioned in the Bill. This convention was signed at Brussels in September, 1910. As we go through the clauses, my hon. friend will see that that is chiefly the object of the Bill. The object of clause 2 and the following clauses is to bring into harmony the law in Canada, so as to permit the submission of the questions involved in those clauses to whatever tribunal may be provided for under the convention.

On clause 10.

10. This Act shall not apply to lakes Ontario, Erie, Huron (including Georgian bay), or Superior or to the river St. Lawrence above the harbour of Montreal or to vessels or rafts while navigating such waters.

2. This Act shall not apply in any case in which proceedings have been taken before the passing thereof and all such cases shall be determined as though this Act had not been passed.

3. The provisions of this Act shall be applied in all cases heard and determined in any court having jurisdiction to deal with the case.

4. This Act shall apply to any persons other than the owners responsible for the fault of the vessel as though the expression 'owners' included such persons, and in any case where, by virtue of any charter of demise, or for any other reason, the owners are not responsible for the navigation and management of the vessel, this Act shall be read as though for references to the owners there was substituted references to the charterers or other persons for the time being so responsible.

I move that sub-clause 1 of this clause be struck out and the following inserted:

This Act shall not apply to lakes Ontario, Erie, St. Clair, Huron, including Georgian bay or Superior, or to their connecting or tributary waters, or canals, or to the St. Lawrence as far east as the lower exit of the Lachine canal and the Victoria bridge at Montreal or to vessels or rafts while navigating such waters.

These are all inland waters in Canada.

Hon. Mr. BOSTOCK—It means widening the exception to some extent. Instead of specifying the rivers and canals it rather widens the effects of that clause.

Hon. Mr. LOUGHEED—I think it does. I have been asked by the Department of Marine and Fisheries that this should be inserted in substitution of the clause as it stands in the Bill.

The amendment was adopted.

The clause as amended was adopted.

Hon. Mr. MURPHY, from the committee, reported the Bill with amendments, which were concurred in.

NORTH SYDNEY HARBOUR BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into:

Committee of the Whole House on Bill (104), An Act respecting the Harbour of North Sydney in Nova Scotia.

(In the Committee.)

Hon. Mr. BOSTOCK—The first clause of this Bill proposes to hand over certain property to the Government, and the second clause proposes that certain obligations shall be assumed by the Government. What is the relation of one clause to the other? Is the Government assuming larger obligations than it is receiving property?

Hon. Mr. LOUGHEED—All those harbours are public works. The apparent ownership is simply a matter of administration. While some of those harbours are

vested in trustees, others are vested in the Crown, and administered by the Crown. Whether administered under a commission or under the Crown, the Government invariably has to furnish the money for the improvement and upkeep of those harbours; whatever obligations there may be as to the North Sydney harbour, they will in all probability be represented by debentures. There may be some floating liabilities, but whatever these are, they have been subjected, I presume, to the inspection and supervision of the Government.

Hon. Mr. POWER—The hon. gentleman might take the committee into his confidence and state the reason which has induced the Government to make this change. There are a number of harbours throughout the country that are taken care of by commissioners. Only last year we passed two Acts providing for the appointment of commissioners for harbours in British Columbia. I assume that there must be some substantial reason for taking the control of the North Sydney harbour out of the hands of the commissioners and placing it directly in the hands of the Government, or rather substituting—that is what it amounts to—a harbour master for a commission. The House ought to know the reason for this step. Is it the result of a request made by the people of North Sydney?

Hon. Mr. LOUGHEED—Yes, the board of trade asked that this should be done. I may say further, as to the liabilities, I find that they are small—only nominal. They amount to $800. This step is being taken with the concurrence of all the parties interested.

Hon. Mr. LEGRIS, from the committee, reported the Bill without amendment.

CIVIL SERVICE INSURANCE ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a:

Committee of the Whole House on Bill (111), An Act to amend the Civil Service Insurance Act.

(In the Committee).

On clause 2:

2. Subsections 2 and 3 of section 9 of the said Act are repealed and the following subsections are substituted therefor:

2. In default of such declaration the shares of the persons so dying shall be for the benefit of the survivor, or survivors of the persons in whose favour the apportionment was so made, in equal shares if more than one.

3. If all the persons so entitled die in the lifetime of the insured, the insured may by an instrument in writing endorsed on or attached to the insurance contract, declare that the insurance money shall be for the benefit of his wife, if living, or of his surviving children, if any, or some one or more of them, or of his wife and children, or of his wife and some one or more of his children, in such proportions as he sees fit, and in default of such declaration, the insurance shall be for the benefit of his wife, if living, and of his children, if any, in equal shares.

4. If the insured survives his wife and all his children the insurance money shall fall into and become part of the estate of the insured.

Hon. Mr. BOSTOCK—Will the hon. leader of the Government explain exactly what is the alteration made in this Bill.

Hon. Mr. LOUGHEED—The two features are these: Under the Civil Service Act, in 1893, female employees of the Civil Service were not permitted to take advantage of the clauses then embodied in the Act. This places them now upon the same equality as the male members of the Civil Service. In the next place, it is considered desirable to increase the amount from $2,000, which was the maximum under the old law, or under the present law, to a maximum of $5,000.

Hon. Mr. POWER—That is right and proper.

Hon. Mr. LOUGHEED—Those are the two features of the Bill. All the clauses merely make provision for the carrying out of that change in the law.

Hon. Mr. BOSTOCK—I understand there is a committee of civil servants that deal with questions of that kind. I suppose they have given their consent to this arrangement.

Hon. Mr. LOUGHEED—It is manifestly to their advantage, but I do not know whether they have given their consent to it.

Hon. Mr. POWER—I direct attention of the leader of the Government to a typographical error in line 24, and to another in line 9 on the second page. The proofreading at the Printing Bureau seems to be worse than usual this session; it is very unsatisfactory.

The clause was adopted.

On clause 5:

5. The said Act is further amended by inserting immediately after paragraph (f) of section 15 thereof the following new paragraph:

(f 1) determining the cases, not otherwise provided for in this Act, in which a person not originally named as, but who is eligible under this Act to be a beneficiary, may be made a beneficiary; and in which an appointment of the insurance money once made may be varied.

Hon. Mr. POWER—I am looking for information, and not rising to criticise; but I wish to direct attention to the fact that under the original Superannuation Act the reduction was 2 per cent, and there are still a considerable number of civil servants who came under the Act when that original Superannuation Act was in operation. As I understand this section 16, these civil servants cannot take advantage of the provisions of the Bill now before us, or of the Act it proposes to amend without paying this additional one per cent. Is not that just a little bit hard? They paid up to 1893 everything that the law required them to pay, and why should you make it a condition of their getting insurance that they should pay something more now?

Hon. Mr. LOUGHEED—The insurance is based upon actuarial tables, the same tables as are used by insurance companies with reference to the general insurance entered into by the public. It seems to me no hardship is imposed upon the employees if they secure an advantage along those lines. They are assisted by the Government in the matter, and get very much cheaper insurance under this system than they would under any plan of company insurance.

The clause was adopted.

Hon. Mr. POIRIER, from the Committee, reported the Bill without amendment.

SECOND READINGS.

Bill (12), An Act to incorporate The North American Accident Insurance Company.—Hon. Mr. Pope.

Bill (82), An Act respecting the Kettle Valley Railway Company.—Hon. Mr. Bostock.

THE RAILWAY BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (B-2), an Act to consolidate and amend the Railway Act.

He said: This Bill is a consolidation and revision of the existing statutes respecting railway law. The last consolidation was in 1906 (Revised Statutes, 1906, Chapter 37).

Prior consolidations and revisions were made in 1903, 1888, 1879, and 1868, the Act of 1868, however, being so far as the Dominion of Canada was concerned, a new Act.

Since 1906 twelve amending Acts have been passed. These are now consolidated with the main Act of 1906, and various alterations of different kinds have been made.

In addition to the Minister of Railways and Canals, the members of the Board of Railway Commissioners have been in close touch with, and largely in direction of, the work of revision. Very many suggestions have been received from municipal officers and other public bodies, and from railway and other solicitors, representatives of organizations of railway men and private persons, as well as from officials of the Board and Railway Department; also from a number of judges; an endeavour has been made to remedy defects which have been brought to light in matters before the courts. Much assistance has also been had from the leading works on Canadian Railway Law.

Now, it is unnecessary for me to detain the House by reviewing, or even making mention of the many sections of the Act which have been substantially or materially amended. I have before me a review of the consolidation and revision.

Hon. Mr. POWER—It would facilitate the passing of the Bill, perhaps, if the reasons were given.

Hon. Mr. LOUGHEED—If hon. gentlemen desire me to point out the main changes which are being made in the law, I shall be very pleased to do so.

While it has not been the policy to meddle with the substance or phraseology of sections and clauses that have been found satisfactory, changes have been freely made in both where it was shown to be desirable, and various new provisions have been added. The arrangement of the Act, and the grouping of sections, while retaining as far as seemed consistent the same general order or sequence, has been almost entirely remodelled.

The Railway Act of Canada, or to distinguish it from Special Acts, the general Railway Act, has been a matter of growth. Its original predecessor may be deemed 'The Railway Clauses Consolidation Act' passed by the old province of Canada in 1851 (14-15 Vic. Chap. 51) founded on the English Act. Its original provisions, consisting of 22 sections, were amended and added to from time to time. There was a consolidation in 1859, a new enactment by the Dominion Parliament after Confederation in 1868, and consolidations and revisions in

1879, 1888, 1903 and 1906. From the original 22 sections in 1851, the Act had grown to 431 sections in 1906. The present Bill contains 461 sections.

The growth of the Act has consisted, not only in more complete regulation of railways and railway matters in the Act itself, and provisions for regulations by the Board of Commissioners (which was substituted in 1903 for the Railway Committee of the Privy Council), but also in the extension of the Act to a number of other than railway matters, including express business, telegraphs, telephones, power and electricity, and traffic by water between ports in Canada when carried by a railway company.

The growth in the way mentioned, and the numerous amendments of different parts of the Act, resulted in a great deal of confusion in the arrangement of the Act, and makes an entirely satisfactory and logical arrangement difficult, especially where various sections, as they often do, relate to different subject matters, and would therefore go appropriately under different headings. Much pains have been taken, however, to collect the various provisions relating to the same subject matter into one place as far as practicable, and to arrange and group the headings in such a way as to facilitate reference, and make the general arrangement as satisfactory as possible.

An examination of the table prefixed to the Bill will show the grouping of the sections, and will, it is hoped, assist in quickly locating any desired provision.

The references at the end of the sections show their source, and, show whether the section has been amended (in substance) or whether it is new. The table of corresponding sections at the back of the Bill show how the present statutes have been disposed of, and will make it easy to trace any existing provision into the new Act, or will show what has been done with any existing provision.

The chief changes and additions are.

Sections 2 (15).—Definition of lands amended so that railway companies can expropriate, and the owner can get compensation for, easements and other interests in lands as well as ordinary title. The matter was formerly in doubt.

Section 6 (c).—Paragraph (c) added to prevent evasion of board's control over traffic, rates, etc., where companies acquire lease or acquire control of, and operate, railways standing nominally in the name of Non-Dominion companies.

Section 33 (4).—Provision is made for applying the Act and the authority of the board to railways in insolvency or under mortgage or receivership, etc., as to which there was formerly difficulty.

Sections 43 and 52.—Questions of jurisdiction, and appeal from board. Power is expressly given to the board to submit questions of jurisdiction to the Supreme Court with a view to their more speedy determination and so as to avoid expense to litigants. Provision is also made for more readily and quickly dealing with appeals generally.

Section 146.—Regulation of stock and bond issues. It is provided that hereafter the issue of stock, bonds and other securities by railway companies shall be subject to control. Leave must be obtained from the board before any issue of stock, bonds or other securities payable more than a year after date or issued otherwise, than solely for money consideration can be made. The board is given power to impose terms and conditions respecting such issue, and may refuse leave or may limit the amount to what it is satisfied is reasonable and proper. The board is also given power to see that the proceeds of any such issue are properly applied and duly accounted for.

Section 152.—Agreement for sale, lease and amalgamation of railways. Subsection 6 has been added to secure more complete control by the board in such cases, with a view to preventing evasion of the Act.

Section 162. Limitation of time for construction of railways. The provisions for lapse of rights if the work is not proceeded with are made more complete.

Sections 168, 194.—Location of railway line, cutting up of cities, towns and highways. It is now provided that the board, which has much better means of examining into and ascertaining all the facts, shall hereafter pass upon the location of the railway instead of the minister; and wider powers of control are given to prevent unnecessary and injurious duplication of railways and railway rights of way. The board may, where it deems that public interest requires it refuse permission to build a new railway where it will not be useful to the public, or may compel different railways to run over one right of way, by putting down extra tracks or getting running rights over existing tracks all on the one right of way. This should prevent a great deal of nuisance in towns and cities, and should cut down the number of highway crossings and mini-

mize the difficulty of the great problem of providing for protection and safety at such crossings.

Section 172.—Time for acquiring land by the company. Subsection 3 is added to prevent abuses complained of by reason of the company registering plans but delaying acquisition to the detriment of the land owners. The company must now acquire the land within one year, or such time as the board may fix, or lose its right.

Sections 187, 188. Use of industrial spurs. This is a new provision intended to enable the board in a proper case to provide that industries subsequently established may be served by existing spurs or branch lines. Provision is made, however, for proper protection of the existing lines. Provision is made, however, for proper protection of the existing rights of the senior owner. The forbidding of removal of spurs without the consent of the board is designed to make the control of the board in these matters more complete.

Section 189.—Establishing railway stations.—The powers of the board as to location of stations and affording of facilities are made more clear and complete.

Sections 198, 199.—New provisions added for compensation for interference by the railway with mining rights, and for examining mine workings near railways with a view to assuring safety of the railway.

Section 211.—Agreement for acquisition of land. The company is required now to register its agreement like any other person, if it desires to ensure priority.

Section 214.—Agreements between land owner and company. Express provision is made for agreements between the land owners and the company for easements and facilities in respect of the railway, such as under passes across the railway, etc., and for the granting of these at any time, either before or after construction, and for their enforcement. There were formerly legal difficulties as to these matters.

Section 216.—Notice of expropriation. The notice is now required to state the nature of the proceedings that are to be taken and the time within which the Act requires the owner to act, so that he may not be prejudiced by ignorance of the law and neglect in taking the proper steps.

Hon. Mr. THOMPSON—Is that new matter or is it just an amendment?

Hon. Mr. LOUGHEED—I do not know that I have discriminated entirely in reading between absolutely new matter, and the amplification or elaboration of existing law.

Hon. Mr. THOMPSON—A great many of the clauses, like 146 and other clauses named in the Bill, are marked new, and the hon. leader has been reading subsections which I understand are new; but I do not understand why they are not so marked.

Hon. Mr. LOUGHEED—I have not looked at the draft Bill, but all the sections to which I have referred are sections which are either new or have been amended in substance. Then we come to:

Section 219.—Company abandoning notice of expropriation. Provision is made for more simple and speedy settlement of damages.

Section 222.—It is provided that the land owner may be allowed interest on the compensation. It was held by the courts that this could not be legally done.

Section 223.—Easements and facilities to owner. It is now provided that these may be arranged (to the mutual benefit of both parties) even where the parties do not agree on the compensation and go to arbitration regarding it. This could not formerly be done, owing to technical difficulties and the lack of any discretion to the arbitrator to deal with the question of costs. There has been much difficulty and litigation over attempts to arrange these things formerly where there was not lawful authority for it, and there was difficulty in enforcing arrangements of the kind against the company where it chose to disregard them.

Sections 220, 233.—Arbitration proceedings generally. This part of the Act has been almost entirely remodelled and very materially altered. There has been much complaint both from the companies and owners about the unsatisfactoriness and delays and excessive cost of arbitration proceedings, and the unsatisfactoriness of the appeal and proceedings allowed to impeach awards.

The County Court judge, and in the province of Quebec a Superior Court judge, is now made arbitrator ex officio.

The costs of the arbitration are left in his discretion.

The absurd provision that if the award was not made within a time fixed the amount offered by the company should be taken to be the compensation, is abolished, but provision is made to prevent delay.

The number of expert witnesses is limited to three for any one party.

The unjust provision that the owner could not appeal unless the award was over $600, even though he might be entitled to ten times as much, is amended so that he may appeal when he claims more than $600. Wider powers are given the court in the appeal, and, except where more than $10,000 is involved, only one appeal is allowed, and no other proceedings can be taken to impeach the award.

Sections 240, 242.—Warrant for possession. It is expressly provided that this is not to issue till compensation is paid or security therefor paid into court; and it is provided part payment may be ordered to be made to the owner, who was in the position of having his property taken away from him and getting no money to buy other property till long after his property was taken.

Section 252.—Public passageway on railway bridge. Provision is made by which the board, in a suitable case, may order the company to construct such a passageway at the expense of the municipality or municipalities applying.

Section 256.—Provision is made for compensation to municipality where railway is allowed along a highway. Such a case will, of course, be a rare exception, as a steam railway is not permitted along a highway except where absolutely necessary.

Section 263.—Grade Crossing Fund. Provision is to be made for extending this for another five years but this will have to be first dealt with by the House of Commons.

Section 270.—Flumes and pipes across railway. This is extended to take in irrigation works.

Section 276.—Provision for replacing sliding or hurdle gates at farm crossings with swing gates; and better provision for protecting owners' enclosures when railway is being constructed.

Section 289.—Provision added giving board power to deal with hours of duty of railway employees and length and number of employees on sections, with a view to safety.

Sections 325, 335.—Coming into effect of tariffs, etc. Meaning made more clear, and express power given board to suspend tariffs pending inquiry, etc.; also references to old tariffs required to be given so that changes can be more readily seen and traced. Special freight tariffs required to be filed with board in time to be checked before they come into force.

Section 357.—Refund of Tolls. Provision is made giving board power to order the company to refund tolls illegally collected.

Section 358.—Water Traffic. Provision of Act respecting tolls and tariffs extended to all water traffic between ports or points in Canada. (It formerly only covered water traffic carried on by railway companies.)

Section 370.—Municipal control over streets and highways where new powers granted. What are usually known as the standard clauses are adopted with slight modification.

Section 373.—Lines and wires on highways-municipal control. No telegraph, telephone or power company under Dominion jurisdiction, no matter when incorporated or what its former powers were, shall hereafter put wires or poles on streets or highways without permission. If it cannot agree with the municipality the company may come to the board, which may give leave in a proper case and on such terms or conditions as it deems just. Lines already constructed are not interfered with, except that in cities and towns they may be ordered to be put underground, and more effective provision is made for putting them underground by providing for a joint board where one or more of the lines is under provincial jurisdiction.

Section 375.—Telegraph and Telephones. Provision is made for classification of telegraph and telephone messages and provision is made for a joint board to deal with long distance telephone connections when the applicant desires.

Section 386.—Damage where cattle and other animals get on railway. This has been a matter of much controversy, and the provisions regarding it have been very frequently altered. Endeavour has now been made to simplify the law and to make it more clear and explicit. What may and what may not be recovered for is distinctly stated. The burden of proof is put upon the company in respect of the exceptions to its liability and it is provided that no question of negligence or breach of duty is to affect the right to recover except as in the section explicitly stated. The effect is to make the company practically an insurer where the animals get on the railway lands and damage results, except in the excepted cases specifically stated, and as to these the burden of proof is on the company. The faulty wording of a number of the exceptions is also cor-

rected. The general effect is to place a heavier burden on the company, but as it is the cause of the loss and is under obligation to fence its line and maintain efficient cattle guards, this is not considered unreasonable. Much fault had been found with the present law, especially in the western provinces.

Section 387.—Damage by fires from locomotives. This was also for many years a matter of a good deal of controversy. The present provision, however, seems to be regarded as fairly satisfactory, except that where the amount recoverable is limited to $5,000, and there are a number of claimants there was no provision for working the provisions out so that each would get what he was entitled to. Provisions are now added for this purpose. The section is also changed so that it is only in case where it has not been guilty of negligence that the company is entitled to the benefit of the owner's insurances.

Section 391.—Defence in actions for damages. The anomaly of allowing the railway company to plead not guilty by statute without giving particulars of its defence, like other litigants, is removed.

Section 379.—Water carriers are hereafter to be required to furnish statistics.

Section 444.—Railway constables must be British subjects.

Section 392.—Provisions are added for the purpose of making the control of the board more effective, e.g., 392.

Section 279.—Power is given the board (Section 279) to order a railway to be opened for traffic. Complaints had been made of companies sometimes delaying this improperly for their own purposes.

Section 289.—The board is given power to forbid the use of coal in any district and to order the use of electricity or such other kind of fuel or power as it deems proper.

Section 423.—Stricter penalty is provided for obstruction of highway crossings, and the company, and not the employees, is made liable where the fault is in the rules of the company.

This, I may say, hon. gentlemen, is a review of the new clauses and the amendments which it is proposed to make to the existing law.

Hon. Mr. THOMPSON—Are not these amendments that are not marked 'new,' amendments to the Bill that have not been codified? They are marked at the bottom, 'amendments,' and where to be found; and the hon. gentleman has been reading them all the way through as though they are new elements put into the codification of the Railway Act. I did not presume they were new matter entirely in respect of that. Parts of the law that we are to regard as changes are marked 'new' at the bottom, but are really amendments that are not in the Railway Act.

Hon. Mr. LOUGHEED—In Committee that can be clearly explained. I therefore move the second reading of the Bill.

The motion was agreed to, and the Bill was read the second time.

Hon. Mr. LOUGHEED—I beg to move, seconded by the Hon. Mr. Gordon:

That this Bill be referred to a committee to be composed of members of both Houses, and that the members on the part of the Senate be: the Hon. Messieurs Béique, Bolduc, Bowell (Sir Mackenzie), Bostock, Gordon, Kerr, Power, Ross (Middleton), Thompson, Watson, Young, and the mover.

Hon. Mr. BOSTOCK—Would the hon. gentleman give us some explanation of what he proposes to do in this matter?

Hon. Mr. LOUGHEED—In moving that this be sent to a joint committee of both Houses, I do it at the instance of the Government. The Government has considered this question and has looked at it in this light; that investigation into the different subject matters that will come under our consideration in dealing with this Bill will necessarily involve a considerable length of time. The Bill is very largely the product of suggestions that have come from municipalities, boards of trade, the different courts of the different provinces, railways, the different branches of railway labour on the many railways in Canada, and from other bodies. The Government has many communications from all these parties, expressing a desire to appear before a committee of Parliament, so that the committee may have advantage of their views. It therefore may occupy a very considerable length of time in giving a proper consideration to the many principles involved and the many changes which it is proposed to make. It would be unwise to duplicate this work. It would be unwise to have this Bill sent to the Railway Committee and to have that body hear the various interests, and then to report the Bill and have it go down to the Commons, and to have the Railway Committee of the House of Commons, or to have a select committee of the House of Commons likewise hear the same people.

The Bill is peculiarly a Bill that, under normal conditions or under other circumstances, would be dealt with by the House of Commons. It is peculiarly a measure that would originate with the House of Commons more than with the Senate, for this reason: Members of the House of Commons are very much more closely in touch with the various interests involved and dealt with in the Bill than members of this Chamber. Many of the subjects dealt with are what might be termed popular measures, measures which have been obtruded, so to speak, upon the attention of the members of the House of Commons. Consequently it is only the popular Chamber that would, under ordinary conditions, deal with subjects of this kind; but it was pointed out that the difficulty might be overcome by both Houses sitting together as a joint committee, both Houses having the advantage of the interchange of thought and of ideas which would necessarily take place in a committee made up of representatives from both Chambers. In addition to that, the committee would have likewise the advantage of hearing the various parties interested upon all those subjects alluded to ventilate their views, and to make such representations as might convince the committee.

Hon. Mr. WATSON—How many members of the House of Commons would there be?

Hon. Mr. LOUGHEED—I shall come to that in a moment. This procedure is not novel. We have precedent for it. Many years ago the revision of the statutes was submitted to a joint committee of both Houses.

Sir John Thompson in 1892 referred the Bill to codify the Criminal Law and the Canada Evidence Bill to a Joint Committee of the two Houses, but he did not discuss the question of the Joint Committee when making the motion, 'Hansard' 1892, vol I. p. 1319 ib. 2008 with reference to Evidence Bill. The Evidence Bill was considered by this committee but was not passed until 1893. There were 24 members of the House appointed on the committee and what is now Rule 11 had to be suspended to enable so large a committee to be appointed. In the Senate the motion was made by the then Premier Sir John Abbott, but he did not discuss the matter at any length. He only said:

> It has occurred to us that it would be advantageous if a Select Committee of the Senate were joined with the Select Committee of the House of Commons in order that we might participate in the consideration of the details of the Bill and so be in a position to pass it through this House without delay, and it is not improbable that it may be late in the session before it gets through the other House. With that object in view I move for the appointment of this Select Committee of the House of Commons.—(Senate 'Hansard,' 1892, p. 156.)

In Bourinot's Procedure page 401 it is stated:—

> The practice of appointing joint committees of the Senate and House of Commons on various subjects on which united action is desirable has been found to work most advantageously. Such committees are now appointed every session with respect to the Library and Printing of Parliament. In 1885 a Joint Committee was appointed to examine and report upon the consolidation of the statutes. In 1892 the whole Criminal Law was considered and codified in the same way.
>
> No positive rule exists as to the exact number to be appointed from each House. But it is now generally equal. In the British Parliament the two Houses appoint an equal number.
>
> The House of Commons, however, will not consent to unite their committees with that of the Senate when the matter is one affecting the revenue or public expenditures.

In the case of the revision of the statutes in 1885 the motion was made in the Senate by the Government leader there, Sir Alexander Campbell, and twelve senators were appointed (Senate 'Hansard', 1885, p. 302). Twelve members of the House of Commons were also appointed but when Sir John A. Macdonald made the motion in the House of Commons it was opposed by Mr. Blake and carried only on a division. (Commons 'Hansard' 1885, p. 776.) Mr. Blake's main objection was that a consolidation of the statutes was not a proper thing to be dealt with in a Joint Committee.

The Criminal Code was submitted to a committee of both Houses. There are hon. gentlemen in this Chamber who will doubtless remember the time when the Criminal Code was submitted to a Joint Committee of both Houses, and although there was very great disparity in the number of the representation of this Chamber as compared with the Commons, yet one of the members of this Chamber, the late Senator Miller, was chairman of that committee. As between the House of Commons and the House of Lords in England, both strongly favour joint committees. I have before me a list of subjects dealt with by the House of Lords and the House of Commons under the system of joint committees, and I shall take the liberty of reading that list in a minute or two. I may say in passing that

when this subject, many years ago, was being discussed in the House of Commons, the late Hon. Edward Blake, who then opposed the sending of the revision of the statutes of that day to a joint committee of both Houses, for reasons which were then apparent, set out what he considered should be done in the case of legislation that might be advantageously dealt with by joint committees of both Houses, and the following is an extract from his speech on that occasion:

Well, obviously, where the solution of the question is one dependent upon evidence, and evidence is to be taken twice over, unless there be some arrangement, that is a good reason for a joint committee to arrange in some way or other for the regulation of that class of business in such a manner as shall not necessitate the double taking of evidence. And so with regard to some customs of policy in relation to private Bills which are matters of permanent and business regulation more than of legislation, matters of private right more than of legislation: as for example, as to the system and plan of amalgamating railways, and the arrangement with reference to the Metropolitan railways, there have been joint committees.

In England there was no instance of the appointment of a joint committee from 1695 to 1864, as under the old rule now abolished the Commons had insisted upon having double the number of members on the committee that the House of Lords had.

According to May the modern practice of having equal members from the Lords and the Commons began in 1864 when at the instance of Mr. Milner Gibson a joint committee was appointed on the railway schemes of that session affecting London; and that since then joint committees have been repeatedly appointed.

Hon. Mr. POIRIER—Will there be the same number of commoners as of senators?

Hon. Mr. LOUGHEED—I shall come to that later.

The following is a list of such joint committees given in the foot notes to May:

ORIGINATED IN HOUSE OF LORDS.

Parliamentary deposits, 1867.
Despatch of public business, 1869.
Parliamentary Agents, 1876.
Stationery Office, 1881.
Government of India.
Private Bills (Memorandum of Association).
Statute Law Revision Bills.
Statute Law revision and consolidation .
Electrical Energy (generating stations and supply).
House of Lords and Commons permanent staff.
Railways, Ireland (amalgamation).
London Underground Railways.
Sunday Trading.

ORIGINATED IN HOUSE OF COMMONS.

Railway Companies amalgamation and Tramways (Metropolis).
Railway transfers and Amalgamation Bills.
Channel tunnel.
Debates in Parliament and Private Bills legislation.
Railway rates and charges Provisional Orders Bill.
Electric and Cable Railways (Metropolis).
Canal rates, tolls and charges, Provisional Order Bills.
Electric Powers (Protective clauses).
Dublin Corporation and Clontarf Urban district Council Bills.
Municipal Trading.
Queen Ann's Bounty Board.
Widows and Orphans of Soldiers and Sailors.
Presence of the Sovereign in Parliament.
Housing of the working classes.
London Water Bill.
Municipal Trading.
Port of London Bill.

These are some of the subjects with which the Parliament of Great Britain deals, under a system of joint committees. If this subject came up in the Parliament of Great Britain, it would come under one of the headings I read, and would be dealt with by a joint committee of both Houses. Now, permit me to say that I think it would be a distinct advantage to deal with this Bill in this particular way. There is no reason whatever why this Chamber should not approach the subject with the greatest possible confidence in the representation which would come from the House of Commons. That committee, whatever its number may be, will be selected from the House of Commons with due regard to the knowledge of its members upon such a subject, and to their standing in that Chamber. It seems a distinct advantage for this Chamber to join with the House of Commons in dealing with a Bill of such magnitude as the present Bill, and one necessarily involving the length of time which it must take in hearing the various bodies which will come and the representations which will be made before the committee. Some hon. gentlemen have asked as to the number of the Commons Committee. That I cannot say, for this reason: It will be for the House of Commons, when a message goes from this Chamber to that Chamber, to take action thereupon; and it is my intention to move, following the motion which I have made:

That a message be sent to the House of Commons requesting that House to unite with

the Senate in the formation of a joint committee of both Houses to examine and report on a Bill of the Senate entitled 'An Act to consolidate and amend the Railway Act,' and inform them that the Hon. Messieurs (giving names of the Senate Committee) will act on behalf of the Senate as members of such joint committee should the House of Commons agree to its creation.

We must leave it to the discretion of that House. That House will then send a message back to this Chamber, and if they should demand a larger representation than, in the judgment of this House, would appeal to its confidence, it is then for this Chamber to express its dissent therefrom. It would be very unwise for this Chamber to seek to dictate in any way to the House of Commons. I presume that after the discussion, which will now take place upon the motion which I have made—that it be sent to a joint committee—your judgment will be obtainable from the views which you will express as to what the representation of the Commons should be, and I, of course, shall not hesitate to represent to the Prime Minister, who will have charge of this Bill when it goes into the House of Commons, that the views of the Senate are in accordance with those which you may express respecting the number of Commoners who should be appointed on that committee.

Hon. Mr. BOSTOCK—I have listened with a great deal of interest to the remarks of my hon. friend on his proposal for appointing a joint committee of both Houses to deal with this matter. I feel that it is very desirable that the business of the country should be facilitated as far as possible by hearing the evidence and any arguments that parties should desire to present before Parliament on the different clauses of this Bill, and that we should do away with any unnecessary repetition of any of the evidence or of the arguments that may be presented to us.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. BOSTOCK—Had my hon. friend been able to see his way to proceed in this matter as was indicated by Mr. Blake on the occasion to which he refers on the consolidation of the statutes in 1885, it would have been quite satisfactory to my hon. friends on this side of the House and to myself. But I understand from the remarks of the hon. leader of the Government that he proposes to go further than that—that he is not willing to limit the terms of his joint committee to hearing the evidence and arguments, that those interested may wish to present to that committee. He proposes to go further and permit the committee to deal with the clauses of the Bill and report the Bill with amendments which the committee may suggest to the House. I cannot agree to that ,because a great deal of discussion might arise over matters brought before the committee which probably might result in a condition of things that instead of facilitating the passage of the measure through both Houses would rather interfere and possibly prevent its passage. If my hon. friend had looked back to the time that he has mentioned, in 1695, when these joint committees of both Houses in England were first adopted, he would find that a certain amount of friction arose on account of the number of members representing the Commons being greater than the number representing the House of Lords. Although there is no actual statement of that made in the authorities, we might almost say that the reason for allowing his system of dealing with Bills in joint committee to fall out of practice in 1695, was largely due to the fact that the number of members from the Commons was usually double the number from the Lords. In 1864, when the procedure was renewed in England, it was specially stipulated that an equal number of members should be appointed from each House on a joint committee. The result was that when those committees met, the chairman of the committee had simply a vote the same as any other members of the committee. He had no casting vote, and consequently any question that was brought before that committee on which the committee could not agree, was negatived. There was another system of procedure which was adopted, possibly as the outcome of the condition of things mentioned. I refer to a system that was proposed on the 19th and 20th May, 1794, when a question came up in the English Parliament as to a joint committee for the purpose of dealing with the question of the King's health. It was pointed out by some hon. members of the House of Lords at that time that they did not think on a question of that kind it was advisable to have a joint committee, because questions might be proposed which the members of the House of Lords might think were not advisable to deal with. Consequently a suggestion was then made that instead of appointing a joint committee in

that way, a special committee should be appointed by the House of Lords, and a special committee by the House of Commons, and that those special committees should have power to communicate with one another from time to time. A procedure of that kind overcomes the difficulty that possibly might arise where you have a number of members of one committee larger than the number of the other. I therefore would move to amend the motion to read as follows:

That the said Bill be referred to a special committee of the Senate composed of the Hon. Messieurs Béique, Bolduc, Bowell (Sir Mackenzie), Bostock, Gordon, Kerr, Power, Ross (Middleton) Thompson, Watson, Young and Lougheed, with instructions to examine the said Bill and hear the parties interested therein, with further instructions to communicate from time to time with the special committee of the House of Commons if such committee be appointed for the purpose, and report upon the said Bill to the Senate.

Hon. Mr. BOLDUC—I have paid close attention to the remarks of the leader of the Opposition, but he has failed to convince me. He agrees with the leader of the Government in this House that it would save a great deal of time if we had a joint committee, but he seems to fear that if the House of Commons would take part in a joint committee with us, they will have more representation than the Senate would have in it, and that our views might not prevail. But supposing the House of Commons should have a larger number of members on that committee than we have, I do not see how it could do any harm. I do not believe it could be possible for the members of the House of Commons to force the members of the Senate to adopt the Bill, as it comes back from the committee. We all agree that it would save a great deal of time if we had a joint committee. Instead of a Senate committee receiving delegations, which would afterwards have to be received by committee of the other House, the delegations would be heard only once before a joint committee. Should the representatives of the Commons on the joint committee succeed in carrying amendments to which we would object, we will have the right later on, when the report comes before the House, to amend it and put our views on record. For these reasons I do not think it would be right to oppose the appointment of a joint committee. We shall have the same rights to put our views on record and to make necessary amendments to the Bill. Then, if the Commons is not satisfied, it will say so. I do not think it would be just to force numerous important delegations from railway corporations, boards of trade, and municipalities to come twice to Ottawa for the purpose of stating their views on this Bill.

Hon. Mr. BEIQUE—We all agree that with joint committees, time would be saved in hearing evidence, if any is to be submitted, and in hearing arguments if any may be offered, it will tend to facilitate business and save time. We are also agreed that it would be advisable to facilitate the exchange of ideas and opinions upon the Bill. But where we differ is on this point, whether this should be done by a joint committee, or by two separate committees, one of the House of Commons, and one appointed by this honourable House. A committee is appointed for what purpose? Either for the purpose of hearing evidence and reporting the evidence taken to the House, or, with instructions to report upon the Bill. Now this is the course which I understand is suggested by the hon. leader of the Government, that the joint committee which he proposes shall not only hear evidence and report it, whatever it may be, but that it shall be a joint committee for the purpose of amending and reporting upon the Bill. When a committee is entrusted with that important duty, it is because the House to which the report is made, may have the benefit of the opinions of the members of that committee. It is very important for the House to have the opinions of members of the committee who have had the opportunity and have taken the trouble to study thoroughly the measure referred to them. I call the attention of the Senate to the illogical position, suggested. If that course which has been suggested should be followed, what would be the result? The result would be that the report which would be made by that joint committee to this honourable House would not be the expression of the opinion of the members of the committee belonging to this House and nominated by this House, but it might be the opinion of a committee composed almost entirely, and at any rate overpowered, so to speak, by the committee of the House of Commons. Supposing the House of Commons would appoint thirty or forty members on that committee, when there would be ten or twelve from this House,—the report would then be the report of the forty members, and the report might be altogether adverse to the unanimous opinion of all the members of the committee be-

longing to this House. It seems to me it would be illogical, and that it is unreasonable to suggest that this House be placed in that position. This House would not obtain the opinion of the members of the committee appointed by this House, but they would have the opinion of members whose opinions might be adverse entirely to the opinions of the members of the committee belonging to this honourable House. The very reason which has been urged by the hon. leader of the Government, that this Bill belongs mainly to the House of Commons, that it is a measure which comes within the province of that House, is a reason which should strike the mind of all hon. members; which might make them fear a committee report adverse to the opinions of this House. Therefore, the logical and reasonable course is for both Houses to appoint their own committee. Let each House decide upon the number of members which will form its committee, and let each committee be instructed to communicate with one another for the purpose of hearing evidence if necessary, for the purpose of hearing arguments and for the purpose of exchanging views and ideas. This is necessary in order that our committee may report to its own House, and may be in a position, in reporting, to say that such and such clauses of the Bill meet with the approval of the majority of such committee; and that such other clauses of the Bill do not meet with the approval of the majority of such committee. It leaves to the committee appointed by this House the important duty of reporting their own opinions as to all the different clauses of the Bill, and not bringing before this House opinions which are not their own opinions. It is true that in 1885 a joint committee was appointed by the House of Commons and by the Senate, but it was for the purpose of considering the report of the commissioners appointed to consolidate and revise the statutes of Canada. It was quite a different thing. A commission was appointed for the purpose of revising the statutes, and that joint committee was appointed for the purpose of examining into the report. On that occasion there were 12 members of the committee appointed by each House. The number appointed from each House was equal. In 1902 it is true another committee was appointed for the purpose of considering the Criminal Code. There were seven members appointed by the Senate and some twenty-three appointed by the House of Commons, and there were three or four reports made by that joint committee, which was a committee of forty members. There were some four or five different reports made, and these were of course, the reports of the forty members. The Senate had not the benefit of a report on any of those occasions from the members of their own House.

For these reasons I would be disposed to support the amendment of the hon. member from British Columbia, and I would hope that the Government would see its way to accept of that course. For my part I am disposed in this case, as in every other, to give to the Government as much control as possible on legislation, but that control must be consistent with the autonomy and dignity of this House. I do not think it would be consistent either with the dignity of this House or the true interests of the country, that this House should appoint a committee and instruct it to act in such a way that the House would not get the benefit of the report of the committee belonging to and appointed by this House, and would, instead, have the report of another body entirely.

Hon. Mr. POIRIER—Neither the main motion or the amendment fully satisfies me. I wonder if the motion of the hon. leader of the Government could not be altered so as to invite the other House to appoint an equal number of members to be members of the committee. I think we have precedents for that; we have a joint committee for the Library, where there is an even number of members of both Houses. If that could be done it would at once relieve the situation.

Hon. Mr. BOLDUC—Will the hon. gentleman pardon me, if I ask one question. Does he believe it would be proper for this House to dictate to the other House as to the number of men that they should appoint?

Hon. Mr. POIRIER—I am not talking about dictating. I know very well what is good usage. I am simply suggesting whether it is possible for the motion to invite the House of Commons to c -operate in the way outlined. My hon. friend understands the difference between inviting and dictating. I suggest inviting the House of Commons to appoint an equal number of members. That would be proceeding diplomatically and averting what may bring the whole machinery to a full stop. There will be nothing irrelevant, no-

thing at all in the nature of a dictation, in submitting that an even number be appointed. In that case, I believe that my hon. friends on the other side of the House would be agreeable to such a joint committee. I am afraid of this, that the members of the other House, acting upon our proposition which defines and limits the number of members on our side, may appoint, say twenty or thirty; then it would be very difficult for us to act jointly in such a disproportionate joint committee, and trouble will arise again. It is true that in the joint committee appointed for the examination of the Criminal Law there were two or three times the number of commoners to that of the senators, but having been on that committee I remember distinctly that it was stated that all the members of the bar of either House would be appointed. Thus there was no prejudice; the committee was composed of a special class of men, and the commoners having a larger number of members of the bar in their House than the Senate, they necessarily had more members on the committee. There was nothing in that to give dissatisfaction, while in this case I surmise there will be difficulties in the way. On the other hand, the proposition of the hon. gentleman from British Columbia postulates what the other House is going to do. We cannot do that; that would be dictation.

Hon. Mr. DAVIS—They can do what they like themselves.

Hon. Mr. POIRIER—The amendment assumes that the other House will appoint a special committee for the purpose. How are we to know that they will appoint a special committee ?

Hon. Mr. WATSON—It does not make any difference.

Hon. Mr. DANDURAND—I presume if this were adopted it would be followed by a special message to the House of Commons.

Hon. Mr. POIRIER—It is premised that they will appoint a committee. I believe that before we act upon the proposition of the hon. leader of the Opposition—which in my view is more defective still than the one of my own leader here—it should be ascertained whether the other House will have a special committee before we make any such allusion, and leap, as it were, in the dark. I will therefore ask if it be not possible for the leader of the Government to move along the lines of a humble and deferential suggestion inviting the other House to limit the number of the members on the committee, so as to tally with ours.

Hon. Mr. DANDURAND—If the hon. the leader of the Government had limited his motion to the appointment of a joint committee for the purpose of hearing evidence and representations from parties interested, I for one, and I believe the majority in this Chamber, would have been disposed to say amen to such a proposition. But my hon. friend goes further. He asks that that joint committee once appointed, after hearing the evidence and hearing the parties interested, make a report to both Houses. That is, I think, where the line of cleavage appears. What is the effect of a delegation of the work of this Chamber to one of our standing committees? It is that that standing committee, after examining the Bill, reports the opinion of a majority of that committee; and when a committee is composed of say twenty, thirty or forty members of this Chamber and has studied minutely a Bill and makes a report, it means that the majority of the members of that committee have decided in favour of the Bill in a certain form. On the other hand, if the motion of my hon. friend were carried, what would it mean ? That this Chamber would delegate to a committee, composed of members of the Commons and of this Chamber, a Bill which would be reported to this Chamber and at the same time to the Commons, but reported to us by our colleagues, who would have to admit that on perhaps some of the most important clauses of the Bill they were unanimously against the Bill as framed. They would practically be reporting the work not of a committee of this Chamber, but of a committee of the other Chamber. It is true that this Chamber could then modify that Bill and refuse to acceed to the report of that committee, but we would not then be more advanced than we were before starting on this work. It seems to me that the amendment proposed fully safeguards the principle of the autonomy of this Chamber, and at the same time allows both committees to work in common, for our committee would have leave to communicate from time to time with the special committee of the House of Commons, if such committee be appointed for the purpose. What would follow if this amendment were carried, and if the House of Commons appointed a committee to deal with

this Bill concurrently with the committee of the Senate? Those two committees would meet, would decide to hear the interested parties, and if it pleased those two committees, after deliberating, to meet again in the same chamber and run through the Bill to ascertain the various opinions held by those two bodies, possibly our committee might come back with a Bill which had been approved concurrently by the committee of the House of Commons and the committee of the Senate. But at all events, whatever position is taken by our committee, it will be the voice of a committee of the Senate which we will hear when the report is made, and not possibly the exclusive voice of the House of Commons. I believe that we are reaching the end which my hon. friend has in mind by agreeing to the appointment of a committee which will thus come in contact with a committee of the House of Commons; and we will save time by holding only one inquiry. On that point I simply repeat the words that have fallen from the hon. gentleman from De Salaberry (Hon. Mr. Beique).

Hon. Mr. CASGRAIN—It has been my privilege very often to say in this House that as much as possible public Bills should be dealt with by the committee of the whole House, the Senate. It seems to me we are getting altogether outside the autonomy of the legislature when we propose to delegate a public Bill to a special committee. It has been the experience that private Bills are sent to special select committees; but public Bills should be dealt with by committees of the whole House. That has been the principle and the practice ever since there have been two Houses of Parliament. Of late it has become a habit to delegate public Bills, which involves coming back to the House and going over the whole work again. I do not believe such custom expedites matters at all, but that on the contrary we are very much worse off. We have well defined rules now, and legislation has been carried on satisfactorily without joint committees. I have to say, like the hon. gentleman from Moncton, that I do not think that either the motion of the leader of the Government, or of the leader of the Opposition in this matter exactly meets my views. I believe the idea embodies a bad principle. They talk about duplicating work; but there is no duplication of work if the evidence is taken down. On all the divorce Bills of the Senate that we pass, we simply send reports down to the Commons with the evidence. If this Bill originates in this House, and we find it necessary to call evidence on certain points, that evidence can be taken down and printed, and thus benefit of that evidence can be had. Hon. gentlemen seem to forget that this is a public Bill, and as a public Bill the House of Commons and the Senate should know enough about public matters to be able to deal with it. We are dealing for the whole public, not for any special interests; and we should be able to understand the public business well enough to get information where these interests can give briefs to any members, to any senators, so that their views can be put before the House or a committee of the House. We are not going to hear everybody; we will hear only a limited number of people, those who have some special object in view, but we are legislating for the whole country, and we should try to get along with the present lights of the House of Commons and the Senate without calling in all sorts of experts to occupy the time.

When the Insurance Bill was sent to the Committee we had one expert who alone occupied the attention of the committee for two whole days, and when he concluded the committee did not agree with anything he suggested. It was a pure waste of time.

Hon. Mr. YOUNG—The committee can shut them off any time they like.

Hon. Mr. CASGRAIN—They are too polite to do that. I believe I am in a hopeless minority, but I really believe if the Senate would go through the Bill there would be very little on which we would have to consult other people or ask for expert evidence. After the Senate passed the Bill it would go down to the House of Commons, and I believe they could deal with it also, because hon. gentlemen must remember we will only hear from certain classes and we are legislating for the whole public. If we go on in the same way as we proceeded before, if any special evidence were taken it could be printed and used in either House afterwards.

Hon. Mr. CHOQUETTE moved the adjournment of the debate.

Hon. Mr. LOUGHEED—I have no objection to the motion provided this measure is

placed first on the Order Paper after third readings.

The motion was agreed to.

BILLS INTRODUCED.

Bill (L-2), An Act for the relief of Charles Lowe Hutcheon.—Hon. Mr. Derbyshire.

Bill (M-2), An Act for the relief of Jessie Eleanor Grassett Parkhurst.—Hon. Mr. Derbyshire.

Bill (N-2), An Act for the relief of William Godfrey Thorpe.—Hon. Mr. Ratz.

Bill 92, An Act respecting the Premier Life Insurance Company of Canada.—Hon. Mr. De Veber.

The Senate adjourned until 3 o'clock tomorrow.

THE SENATE.

Wednesday, April 1, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILL INTRODUCED.

Bill (O-2), An Act for the relief of Bertha Hetu.—Hon. Mr. Talbot.

LONDON AND PORT STANLEY RAILWAY BILL.

THIRD READING POSTPONED.

Hon. Mr. TAYLOR moved the third reading of

Bill (64), An Act respecting the London and Port Stanley Railway Company.

Hon. Mr. KERR—I ask the hon. gentleman to let this Bill stand until next week. Some parties in London have asked me to make this request.

Hon. Mr. TAYLOR—I have no objection to allowing the Bill to stand until to-morrow.

Hon. Mr. KERR—It is a House of Commons Bill and this is the third reading, so that there is nothing more to be done with it. It will be ample time if it is dealt with early next week. I do not want to delay this Bill, but it is desirable that these people in London should have an opportunity of making inquiry, and satisfying themselves as to the provisions of the Bill.

Hon. Mr. TAYLOR—The Bill stands in my name, but I introduced it on behalf of the hon. member from Bruce, and perhaps he might wish to say a word on the subject.

Hon. Mr. DONNELLY—I regret that the hon. member from London (Hon. Mr. Coffey) is not present, because it was at his request that I took charge of the Bill. He is familiar with the local conditions at London, and could explain the Bill better than I could. The object of the Bill is to give the necessary authority to the city of London to lease and operate the Port Stanley railway. This proposal was submitted to the electors of the city of London in October last, and received a substantial majority of votes. The Bill passed the House of Commons; it was introduced here, and sent to the Railway Committee. By request it was permitted to stand for a week, in order that the solicitor from London might be present and explain the Bill. The solicitor attended the meeting of the committee; no serious objection was offered, and the parties behind the Bill are anxious that it should be passed as soon as possible. This is a short line of railway, its bonds are practically all held by the city of London. The city is desirous of obtaining the necessary authority to lease and operate the road. The city is doing this to protect its investments, and also to get better railway facilities. If there is any valid reason why this Bill should stand I shall consent, but I should like to know the objection to it before I consent to postponing the third reading.

Hon. Mr. KERR—I live a long distance from the city of London, and I am not familiar with the local conditions; nor do I know what the objections to this measure may be. Under these circumstances all I can do is to voice the request that is made by these people, that the Bill be allowed to stand until they have an opportunity to inquire into the situation. It would be an unfortunate thing for us to pass a Bill which is on its face rather an extraordinary Bill, and then find we have made a mistake. It is not a usual thing for one municipality to be operating a road through half a dozen other municipalities.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. KERR—There are municipal rights involved which may or may not have been considered. There is nothing, so far as I can see in this agreement, which takes any notice of that at all; on the contrary the city of London is authorized to lease this road and to operate it—a business

entirely outside of its own jurisdiction. This road runs from London through the city of St. Thomas, where there are a whole cluster of ordinary railways grouped together and meeting. It passes through St. Thomas; and on its way from London to Port Stanley through a dozen other municipalities. One municipality is to be clothed with authority to operate a road, and to have railway powers and various things of that kind. Now there may or may not be rights to be protected, and there may or may not be objections to the proposal; all I can say is, it is a novel thing, it is the first time I have ever heard of one municipality being authorized in that way, to exercise all the powers of the Railway Act through other municipalities. I am not pretending for a moment to argue the question one way or another, but simply to say that on the surface it is something which ought not to be hastily passed until there is an opportunity to present objections—should any one have any—so that we may hear what they are. If there is no objection the Bill will go through without any bother. All I ask is that it may stand for a few days.

Hon. Sir MACKENZIE BOWELL—Have any of the municipalities along the road taken objection to the passing of this Bill? The only objection I have heard raised to it is that some parties were interested in another line. We know that the railway in question had really been in a state of bankruptcy until the city of London, by vote of the people, raised sufficient money to get control of it; the road has been an incubus on those who have been running it. What evidence is there, can the hon. gentleman tell us, of the objections which have been made to the passage of this Bill, and by whom? We heard nothing of these alleged objections in the Railway Committees of either the Commons or the Senate.

Hon. Mr. KERR—All I can say is that I cannot tell what the objections may be. Personally I know nothing about the local conditions of the matter except in the most general kind of way. I do know that this is the first time that the Parliament of Canada has ever attempted to authorize anything like this Act. There is no precedent for it in the books; there is no precedent for one municipality being clothed with all the authority, and all the powers of the Railway Act to pass through half a dozen other municipalities, and cross other lines of railway. I know of no cases of the kind, and if the hon. gentleman can show me any precedent I shall willingly admit that I have overlooked something. I am just as much of a stranger in the locality as the hon. senator from Belleville (Sir Mackenzie Bowell); but having been asked by people in London, who represent not only themselves but other people, to get the Bill to stand a couple of days until inquiry can be made about it, I make the request, and it is a most unreasonable thing to say that the Bill must go through.

Hon. Sir MACKENZIE BOWELL.—Is it not strong presumptive evidence that there is no objection to the Bill, when objections were not taken to it either in the Commons or the Senate?

Hon. Mr. DONNELLY—The hon. senator from Toronto (Hon. Mr. Kerr), wishes to let this Bill stand for a couple of days. This Bill has been before Parliament for a month or two, and there was ample opportunity to bring objection to it before the Railway Committee of the House of Commons or the Railway Committee of the Senate. However I am willing to let it stand until Friday. The hon. gentleman will thus have ample opportunity to get the information he wants by Friday, by telegraphing for it.

Hon. Mr. KERR—I want the hon. gentleman to understand that I am not going to get anything; I want an opportunity for people to look into the Bill, which, so far as I know, may be a blank letter to them, up to the present time. It is not in the interest of myself or anybody I know, but it is in the interest of the public that I make this request: a good many municipalities may be interested. We are at an early stage of the session. There is no hurry about it; there is no emergency urged for doing anything to-morrow or the day after. Under the circumstances all I would ask is that it should stand until those people could communicate. They may not communicate with me; they may communicate with the hon. gentleman from Bruce, or with other people here; that is a matter for themselves to decide, and they may not communicate with anybody; I do not know anything about it; but they want an opportunity of seeing the Bill and seeing what it is. Surely the Parliament is not going to refuse these people an opportunity of seeing it. I ask that the Bill stand until Tuesday of next week. It may be said that the House will not be in session on Tuesday next. That is not my fault or the fault of those unfor-

tunate people who may want to make inquiry. Next Tuesday, if the House is in session, would answer every purpose that those people have asked.

Hon. Mr. TAYLOR—I move that the Order be discharged and that it be placed on the Order Paper for Friday. Then if the hon. gentleman has objections that he can offer, as coming from the people of London, and if the objections are substantial, we can leave the Bill until after the adjournment. I understand the House will adjourn on Friday until the 15th. As I understand this Bill, there is an old charter under which London has secured all the necessary rights from the different municipalities.

Hon. Mr. POWER—The question as to postponing the Bill has been settled now by the statement of the hon. gentleman who has charge of the Bill. The hon. gentleman from Toronto is mistaken in saying that there is no precedent for a Bill of this nature. Two or three years ago we had a somewhat similar Bill coming from the town of Guelph which we dealt with and on which we reported favourably. But whether there is a precedent or not, I fail to see why a municipal corporation should not be placed in as advantageous a position as a private company. This matter was considered in the Railway Committee the other day, and the Railway Committee were satisfied, apparently almost unanimously, that the Bill was one which should go through. I fancy the gentlemen who have been communicating with the hon. gentleman from Toronto knew that the Bill was before our Railway Committee. Indeed action was postponed on the Bill from one meeting of the Railway Committee to another. I wish to state that, after Friday, I shall not be in favour of any postponing.

Hon. Mr. YOUNG—The Bill was referred to the Committee on Railways, Telegraphs and Harbours, and when it came up at the first meeting of the committee after it had been referred, it was found that objections were made by the law clerk to some of the provisions of the Bill. These objections seemed to be worthy of consideration, and the committee postponed taking action on the Bill until its next meeting. The parties interested were notified of the objection, and the solicitor of the city of London came before the committee, and clause by clause the Bill was threshed out. Two amendments were made, neither of them of a very important character. Neither this House nor the Committee on Railways, Telegraph and Harbours can be charged with undue haste. On top of that, this report was presented to the House last Thursday, and you can see again that there was no undue haste when its adoption was only moved yesterday. The House is always anxious to get new light on any legislation; we cannot be charged with railroading the Bill with undue haste. I am not rising for the purpose of objecting to the postponement of the Bill, but I wish to make clear the fact that the parties now objecting had a fair opportunity of being heard before the Bill was finally disposed of in the committee stage. It is for the purpose of clearing the committee of the charge that they acted with undue haste, and did not allow interested parties to be heard, that I have risen to speak on the Bill at this stage. I have no objection to postponing the third reading of the Bill, if new objections are to be presented. I am sure every hon. member would be glad to consider any objections that might be advanced, and try to make the legislation as complete as possible.

The motion to postpone the third reading of the Bill was agreed to.

THIRD READINGS.

Bill (F-2), An Act for the relief of George Gracie Smith.—Hon. Mr. De Veber.

Bill (G-2), An Act for the relief of Harry Cracroft Pugh.—Hon. Mr. Derbyshire.

Bill (21), An Act to amend the law relating to Merchant Shipping with a view to enable certain conventions to be carried into effect.—Hon. Mr. Lougheed.

Bill (104), An Act respecting The Harbour of North Sydney in Nova Scotia.—Hon. Mr. Lougheed.

Bill (No. 111), An Act to amend the Civil Service Insurance Act.—Hon. Mr. Lougheed.

THE RAILWAY BILL.

DEBATE RESUMED.

The Order of the Day being called:

Resuming the adjourned debate on the motion of the Honourable Mr. Lougheed that (Bill B-2), An Act to consolidate and amend the Railway Act, be referred to a Joint committee of both Houses and the motion in amendment thereto of the Honourable Mr. Bostock.

Hon. Mr. CHOQUETTE—We have before us two propositions, both of which embody a principle I am not willing to accept, relating to a public measure of such importance as this. These two propositions are practically to the same effect. The

first, from the hon. leader of the Government, is to have a joint committee of both Houses appointed to examine and report on a Bill of the Senate. The amendment to that proposition provides that the Bill be referred to a special committee composed of so and so, and to examine the Bill and hear parties interested therein, with instructions to communicate from time to time with a special committee of the House of Commons—if such committee is appointed—and report upon the Bill to the Senate. The propositions are very much alike. As a matter of principle I do not agree with the proposition to have a joint committee specially appointed for the purpose of passing upon a public Bill of such importance as this one. It is very true that we have already some joint committees, as, for example, the Joint Committee on Printing, and the Joint Committee on the Library, but these are rather exceptions, and are matters on which there can be no difference of opinion, and in which both Houses are equally interested. On a question of this kind, I do not like to have joint committees, for the very reasons which have been given by the hon. member from De Salaberry (Hon. Mr. Beique) and the hon. member from De Lorimier (Hon. Mr. Dandurand). I do not see any practical difference between the two propositions; the very reasons which have been urged against the first proposition may be urged against the amendment. I would not so strongly object to the main motion if it had been provided that the committee should be formed of seven members of each House—an equal number—and if the committee were formed to study the Bill, take evidence, amend the Bill, and report upon it, and that each committee should report to their respective Houses. Neither the main motion nor the amendment mentions the number of members to be appointed from the other House, and according to arguments of the hon. gentlemen from De Salaberry and De Lorimier, it would be very dangerous, because if the majority of the members of the committee were appointed from the other House, we would have a report from the other House. According to the hon. gentleman from De Lorimier, it is the voice of the other house we would hear, and if the Government is not prepared now to tell us what that number of members from the other House will be, then I do not think it will be any use to appoint the committee. The hon. leader of the Government and the hon. leader of the Opposition in this Chamber have given us the history of these joint committees, and the citation from Bourinot by the hon. leader of the Government shows that in the Imperial Parliament the representation of the two Houses on these committees is generally equal. The citation reads as follows:

> **No positive rule exists as to the exact number to be appointed from each House, but it is now generally equal. In the British Parliament the two Houses appoint an equal number.**

So, practically speaking, if the Government is not prepared now to say that an equal number of members will be appointed from each House, we cannot accept the joint committee. It has been urged that this course should be adopted on the grounds of economy, because otherwise evidence would be taken in both Houses, whereas by the appointment of a joint committee, there would be a saving of time. Neither proposition gives power to give evidence. Perhaps they will have to come back to the House to ask for authority to take evidence. Therefore, we see at once that this committee will be of no use. However, supposing the committee has a right to take evidence; if we call witnesses before a committee composed of seven members of this House, and thirty or forty of the other House, as probably will be the case, it will take three or four times as long to obtain the evidence as it would if the evidence were taken before a committee of this House, as has been done in the case of other Bills. Before a committee of this House, we will have no purpose other than to serve the public good, but we must admit, especially those who have been members of the other House, that even with a desire to serve the public good, the members there always have to serve their political interests, or their parties. Before a committee composed of both Houses, the members of the other House will lead in the matter. They will ask a lot of questions suggested to them by the representatives of the railways passing through their counties, and numerous questions to which we might object; but they will ask the questions, and take double the time necessary to make the inquiry, and to no purpose or benefit. Even if they had authority to make an investigation, and to hear argument, even with the amendment of my hon. friend the leader of the Opposition, the inquiry will serve no good purpose. For these reasons neither the main motion nor the amendment can be

productive of good results; no good reason has been given for the appointment of a joint committee. The result would simply be that the members of this House would be superseded by the greater number of members from the other House. If that happened, according to what the hon. member from De Lorimier (Hon. Mr. Dandurand) says:

They would practically be reporting the work not of a committee of this Chamber, but of a committee of the other Chamber.

That may happen, but if there were an equal number of members of each committee there would be at least a chance to hear the voice of this House. But if the committee were formed with a larger number of members of the other House, the report would be the voice of the other House, and then what would happen? This would happen, according to the hon. member who moved the amendment who said:

I cannot agree to that because a great deal of discussion might arise over matters brought before the committee which probably might result in a condition of things that instead of facilitating the passage of the measure through both Houses would rather interfere and possibly prevent its passage.

Though, as I said, the very reason given in support of the amendment, is still stronger when applied against the main motion, it is still a very strong argument as applied against the amendment itself, because if the amendment is carried we shall not know how the committee is formed. I do not see why either the amendment or the main motion did not provide that the House of Commons should name seven or eight members,—a number equal to the number of senators—to form a joint committee. It may be said, and was said yesterday, that we must not dictate to the other House, or ask them to appoint just so many members. I do not see what dictation there is in that. I do not see the difference between sending a message to the other House and asking them simply to appoint a committee, or in adding to that, 'Will you appoint a committee of seven or eight members, as we are doing in this House?' As a matter of principle I am not in favour, generally speaking, of joint committees; we had better paddle our own canoe here, discuss our Bills, prepare them, amend them, then send them to the other House, with the evidence and documents and arguments. Generally speaking, we ought to be absolutely free from any interference from the other House, but if we are going to join with them, let us do it on an equal footing, and ask the House of Commons committee to be appointed with the same number of members as this House. I would like to go further, and simply join with the other House for the purpose of taking evidence, examining the documents, studying the Bill, and then let each committee report to its own House respectively. In doing that perhaps we might take the report of the committee from the other House, and place it beside the report from this House, and each House would have a chance to make a report which would be of some value to the public, and as the hon. gentleman who spoke before me said, we would get the benefit. I would much prefer that some hon. gentleman should move an amendment that the Bill be referred to the Railway Committee as usual. I do not like, myself, to move a sub-amendment, but I would much prefer, and be prepared to support such an amendment. It is the tradition of this House either to refer Railway Bills, and especially important ones, to the Railway Committee or to a Committee of the Whole. But if we sent this Bill to the Railway Committee, they could hear witnesses, and call evidence from the railway companies and boards of trade. We cannot do that without an attendance of 12, 15 or perhaps 25 members of the House, who will certainly disagree, and we would not be in a position to discuss the Bill as well as if we were left alone here, where we could prepare a better Bill for the country, and for the public interest. I am in favour of calling together the parties most interested in railway matters, and making, with their aid, a good Bill. Then we can send such Bill to the other House with all the evidence, and ask them to do better if they can. When we shall have done that work, the other House, I am sure, will be absolutely satisfied. I differ from both the mover of the main motion, and the mover of the amendment, and I am going to vote against both of them.

Hon. Mr. CLORAN—The House is under a debt of gratitude to the leader of the Government. He has succeeded, after long years of pleading with his colleagues in the Government, in securing from the Government of the day the introduction of a Government measure in this House in its original shape. He has succeeded in obtaining the consideration of a most important measure, and for that we owe him our thanks. I am sorry at the same time that the hon. gentleman was not left a free hand

by the Government, and that he was obliged, because I do not suppose he would undertake it himself personally, acting on behalf of the Government, to have a string attached to the Bill. The hon. gentleman introduced the Bill and got it as far as the second reading, and his statement, which I believe was a collaborated one, that is himself and the members of the Railway Department staff and the Department of Justice staff, impressed me very much. I admit candidly that if a vote had been taken at that stage of the Bill, I would have voted with him. But, after giving his very lucid explanation of the Bill, instead of taking this House into his confidence, he asks the Senate to do what? To have the Bill withdrawn from the table by the string thereto attached, and referred to a joint committee of both Houses. That committee would then take charge of the Bill instead of this honourable House. To my mind that smacks of want of confidence in the capacity and intelligence of the Senate. What have the Government to be afraid of? Why not permit the Senate to consider the clauses of the Bill? The string attached to the Bill was pulled by the hon. leader of the Government in the shape of a motion to refer it, not to this House or a committee of the Senate—a course which would have commended itself to every member of this House who wants to maintain its independence, its dignity and its standard of intelligence. What motive underlies that move I am not called upon to say, but it is a crafty one; there may be a trap in it for all I know. What is the Government driving at? It honours us with the introduction of the Bill here but refuses us the consideration of the measure. Is not that a peculiar position in which the Government intends to place us. After all, what does your joint committee mean? It means that we would have ten or twelve representatives from the Senate to meet thirty or forty from the House of Commons. Up to the present no one knows what the number will be: but the number makes no difference to me. What I want to uphold here is our independence and our ability to judge the Bill on its merits. That is the principle at stake. The hon. leader of the Government thinks we should accept this proposition because it would save a little money, and the time of witnesses interested in the Bill. These are paltry considerations to offer for the sacrifice and surrender of senatorial rights and obligations. I am not prepared, and I know that many of my colleagues are not prepared to abdicate our right to consider the Bill, to supervise and amend it, to reject or adopt it as seems fit to us, according to our consciences, and acting in the public interest. We are not prepared to throw aside our obligations in regard to public legislation. It is true the hon. leader of the Government tried to inveigle us into accepting his motion by saying; 'you know this measure is one which would more properly pertain to the House of Commons.' What measure pertains to the House of Commons, that does not equally pertain to this House? The measure in itself is a popular measure and the Senate is here to see that popular rights are safe-guarded, so that the hon. gentleman's intimation does not appeal to me. He is destroying the very ground on which he is standing himself. I have asked myself what did he mean by intimating to us that this Bill pertains to the House of Commons more than to the Senate? Is it because members of the House of Commons would be interested in certain provisions of this Bill, that it would affect their constituencies, and that in a joint committee in which the Commons had more representatives than the Senate, the Commons would prevail? I am not prepared to say that that is what he meant, but I read between the lines. I am putting our friends on their guard; very often we have to read between the lines of what the hon. gentleman puts before us. He has the iron hand with the velvet glove —be careful, beware! Suppose this Bill did go before a joint committee of twelve senators and thirty or forty members of the House of Commons, what would it mean? I would be prepared to accept the motion if it simply referred the Bill to a joint committee for the purpose of hearing evidence, and reporting the same; but I am not prepared to give that committee the right to amend the Bill, to revise it to their own satisfaction, and then have it reported to the Senate where it would be almost impossible to change it. And suppose we did throw aside the amendments and provisions, new or old, introduced by that committee, what would happen? When the Bill would go back to the House of Commons the answer of that House would be—'Why the Senate has no right to re-amend this Bill; the Senate has no right to change its provisions or introduce new provisions. The Senate was a party to the compact in the joint committee.'

Hon. Mr. CLORAN.

Where would our independence be? That is the position we would be in if we had to deal with the report of a joint committee of Parliament, invested with power to take evidence and report on the Bill. If the object of the motion of the hon. leader of the Government is simply to give the joint committee of Parliament power to take evidence, then it is all right, but is new evidence required? The hon. leader of the Government told us yesterday in his very able speech that all evidence had been taken by the department, by the officers of state; that the railway companies had been heard, that the boards of trade of the country, the railway employees and the farmers of the country had been heard; that every interest bound up in railway transportation had been consulted. Upon these representations the Bill was drafted, and I must admit that the explanations given by the leader of the Government as to the amendments proposed to this Bill, struck me as fair and just. If all that evidence has been heard before the Government, and the Departments of Railways and Justice, why in Heaven's name should we go over the same thing again before a committee? Either the statement of the leader of the Government is adequate or it is not. If he says all these interests have been fairly heard, and justly considered, and that we have no need of any more evidence, all that is required now is to draft a Bill for the serious consideration of this House, clause by clause, to find if it coincides with the old Railway Act, as far as that Act goes. If there are any errors, typographical, clerical, or otherwise, or if there is something lacking in regard to the rights of the public, or in regard to the interests of the railway or navigation companies, surely this House has enough intelligence and common sense to remedy defects in the Bill without further evidence. The statement of the leader of the Government is to be accepted, and I accept it, that reports from all bodies in this Dominion were heard before the competent authorities in regard to the provisions of this Bill; and that the draft was prepared after these representations were made. Therefore, why should we take evidence before a joint committee? That brings me to the amendment which says that we will refer this Bill to a special committee, no names given, to take evidence in regard to the provisions of the Bill, but it does not say, 'With power to take evidence.'

Hon. Mr. FORGET—It does not even say that the committee is to take evidence.

Hon. Mr. CLORAN—Then it is weaker than I thought. What right has this Chamber to delegate its powers on a matter of that kind? If the suggestion were to take evidence and report on it, I would be in favour of it, but only on the ground that fresh evidence was necessary. But that question will only arise on the assumption that the statement that the leader of the Government in this Chamber is not to be accepted. If the hon. leader makes it clear that all the evidence necessary to be obtained for the proper drafting of the Bill was not produced before the competent officers, then we would be in a position to demand that fresh evidence be taken, but not just now. The proposition made by the hon. leader of the Government is a contradiction of his original attitude in introducing the measure. As I stated in my opening remarks, he is to be congratulated on having secured from the Government the privilege of introducing this measure in the Senate. I have this to say, the proposition of the leader of the Government is a negation of his first act in introducing the Bill. I do not hold him personally responsible, as he has to voice the decisions of the Government on the floor of this House. I know very well that personally he would not introduce a Bill with a string attached thereto, in order that it might be taken from this House and thrown into the maws or the jaws of a House of Commons committee. Now we want to save ourselves from that position, and we are prepared, or at least a number of us are, to do so. So far as the amendment is concerned, I have practically the same objections to it as the hon. member from Grandville (Hon. Mr. Choquette). It does not appeal to me, unless reasons are clearly given that it is necessary to send this Bill to a special committee. I shall not stand for any public Bill of this importance, or any public Bill whatever, being sent to a special committee, when the Committee of the Whole should deal with it, as its obligations impose. Why should a special committee have the power to revise a Bill of this importance and then report on it to this House? Where would the balance of the eighty-six members be, while the ten or twelve on the committee were supervising or revising or amending this Bill? They say: 'When the Bill comes back with the report from the committee, you will be able to discuss and amend it.' I have heard that so often during the past ten or eleven years since I have been in

this House, that I am tired of hearing it. We all know how difficult it is—shall I say how impossible it is—for this House to reject the recommendations, or reverse the decisions of the special committee appointed by itself.

Who in this House can remember any distinct occasion when a special committee appointed by this House made a recommendation which was rejected—except the Divorce Committee, and that only once or twice in my experience? As a public man, wanting to see and hear what is going on, I am not prepared to refer a Bill of this importance to a special committee: a Committee of the Whole is quite capable of dealing with it. In 1904, when the Railway Act was introduced into this House—coming from the House of Commons with a large majority, recommended by the Minister of Railways of the time, the late Hon. Mr. Blair—was it sent to a special committee? Was it sent to the Committee on Railways? No; it was taken up by the Committee of the Whole; and what happened? That Government Bill, the most important measure introduced into Parliament for a number of years, was taken hold of by the Senate and dissected in every one of its provisions; so much so, that out of 257 or 260 clauses in that Bill the Senate amended 96 of its most important provisions. Out of those 96 amendments made in the Committee of the Whole, it is true there was a contest over 24. The Bill was sent back to the House of Commons with the 96 amendments, and the Government of the day, all-powerful as it was, with a most powerful minister behind the measure, had to accept 72 of them; he rejected only 24 of our amendments. We sent them back and said they would have to go; and, remember, all this was done by the Senate with a Liberal majority of at least forty, and against a Government measure of its own party—not against, but for its own party and its own Government. When it went back to the House of Commons for the second time there was a conference between the two Houses—that is what I call a joint committee. And what happened in that joint committee was that in the so-called conference 12 further amendments were admitted by the House of Commons, making 84 in all. The Senate, the conquerors in that joint committee, allowed the House of Commons to reject 12 of the Senate amendments. Now, that was done on a Government measure, on an important Bill, a more important Bill than this one, for this is only a consolidation, a revision of past Acts, while the Railway Act of 1904, under the Hon. Mr. Blair, was an original document. This present measure is important in itself, but not as important as the Railway Act of 1904; and we are asked by the leader of the Government not to undertake its consideration, not to undertake its revision; we are seriously asked by the Government of the day to practically transfer our rights, our powers and our independence to a number of gentlemen from the House of Commons. Surely the Government can see that that is not a fair ground upon which to place the Senate; surely they will see that, after asking us to take charge of one of its important Bills, it is not fair for the Government to withdraw it in the way it is trying to do, under a veil, under a cloak, the veil and the cloak being that it would facilitate matters, it would relieve the country of expense by having the evidence heard before the joint committee, that they would not have it heard over before the committee of the Senate and then before the committee of the House. Well, when they get down to an argument of that kind it is not one that can appeal either to the Senate or the country, in view of the fifty millions that are going to Mackenzie and Mann, in view of the thirty-five millions the Government was ready to spend in the building of Dreadnoughts, and in view of all the other millions that the Government is spending foolishly in various parts of the country. It looks as though the Government were trying to obtain the surrender of the rights of the Senate under false pretences. I am not looking at this matter from a party point of view; I do not consider this a party measure in any respect; there is no party politics in it, and there should not be any vote on it as a party measure; it is simply a question of administration. So far as I am concerned, I do not view the action of the hon. leader of the Government or of the hon. member for Monte Creek (Hon. Mr. Bostock) as a party move in any sense. I am viewing the question from the standpoint of principle, and endeavouring to safeguard the rights of the Senate, believing there should be no surrender of those rights under any circumstances, or for any consideration of paltry economy or want of time. If it were necessary I would suggest that both the leader of the Government and the leader

of the Opposition withdraw the motion and the amendment and leave this Bill to go to the Committee of the Whole; and, if found necessary after it goes there, that evidence be required before a decision can be reached, that it will be in the power of this House to take it out of the hands of the Committee of the Whole and send it to the Railway Committee for further consideration. By taking that action we shall maintain our dignity, preserve our independence and safeguard our rights.

Hon. Mr. THOMPSON—I do not agree with the speaker who has just taken his seat (Hon. Mr. Cloran) that this Bill is of so little importance that it should pass through the Senate. by referring it to a Committee of the Whole. and that the Senate could do this subject justice. The subject is of vastly more importance than the hon. member thinks, and I shall be able to show the House that it requires a very great deal of study and an exhaustive consideration.

Hon. Mr. McKAY (Cape Breton)—Hear. hear.

Hon. Mr. THOMPSON—My opinion is that a Bill of this nature should have been presented to Parliament at the opening of the session, so that we could have had all the time we require to study its provisions. In respect to the committee, I, personally, have no strong objections to a joint committee, but I cannot think that one appointed as suggested would have any right to make a report to this House.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. THOMPSON—I question whether the Senate could accept a report from a committee that was appointed by the other branch of this Parliament. The committee that we appoint would be the only committee that could report to this House in matters that might have been referred to, or considered by the committee itself. I do not find any objection to a joint committee for the purpose of taking evidence. We have a committee of that kind in our Divorce Committee. The House of Commons send certain of its members to be present at the taking of evidence by that committee, but the Senate gets no report from a joint committee. The Senate has all the powers of a legislative body, and I am in favour of maintaining our autonomy in the fullest degree. The Bill before us ought to be considered by a Senate committee. I have no objection, with a view to saving time and expense, that a joint committee should listen to the evidence, but when the question of making a report to this House arises, those members representing the Senate should deliberate and consider and make a report on their judgment as to changes and amendments in respect to the Bill. The Senate and the House of Commons are clothed with all the necessary powers for legislation in themselves, and the Supreme Court of Canada and the High Court of Ontario might as well sit together in judgment on litigation, in respect to their findings, as that this House and the other Chamber should jointly consider questions and the result of their findings be reported to the Senate. This matter is of serious import. I listened to the leader of the Government when he introduced the Bill and the hon. gentleman said to the House these words:

> Since 1906 twelve amending Acts have been passed. These are now consolidated with the main Act of 1906 and various alterations of different kinds have been made.

I find that this present Bill in its consolidated form is the work of a professional gentleman from Ontario, who has been employed for nearly half a year in the compilation of this work. I find also that instead of being merely a consolidation of the Railway Act, that twenty-two new provisions are added and substantial amendments are made to 101 sections of the Railway Act, as it stands to-day. Talking with the gentleman who made this consolidation, with the assistance of the Railway Board, I found that some amendments were simply changes in the phraseology, but a good many of them amend the substance of the Act, making it an entirely different enactment. I, therefore, regard it as of greatest importance that this question should be thoroughly and fully considered, and this Bill should not become law this session—it is too important, too far-reaching in many of its new provisions. I do not agree with the hon. member who has just spoken, that the new provisions of the Bill meet with our approval. This question should be dealt with very carefully. We did handle a large quantity of legislation in the Insurance Bill; we devoted many weeks to that measure; and this Bill, likewise, requires a good deal of careful study, and a great deal of individual information, from people who are perhaps far better able to understand and advise us, in respect to some of its provisions, than we would be in a committee by ourselves. I say in-

dividually that this is no light question, and that this Senate should carefully consider, in all its phases, just how they shall deal with this problem. While the joint committee could meet, while we could consent to their meeting to hear evidence, in my opinion the Senate could not constitutionally receive a report from a joint committee so organized.

Hon. Mr. ROSS (Middleton)—In the regular course, this Bill might have been dealt with by a committee of the whole House, or referred to the Railway Committee, or to a special committee. That has not been done, but a somewhat novel proposition has been made by the leader of this side of the House to refer the Bill to a joint committee. There must be a reason for that. The reason assigned is that boards of trade all over Canada, municipalities, railway companies, and railway unions representing the men, have sent in, and are sending in applications asking to be heard on various provisions of the Bill. For that reason, instead of following the regular practice in dealing with Bills in this House, it is proposed to refer it to a joint committee. I do not understand that the object of this proposal is to save the time either of this House or of the other House. I do not see that you would save any time by that, because an hour on the joint committee, means just as much as an hour on the committee in the House of Commons. Where you gain is in allowing the boards of trade, municipalities, railways and railway unions to come here and kill two birds with one stone—you allow them to appear before a committee of both Houses at one time. The railways of this country have very extensive interests, and this is a very large country. The boards of trade that come here from Vancouver, Calgary, or Sydney; or the railway union people from those places, have to travel long distances. Therefore if we could do it without impairing either the independence or dignity of this Chamber, it would be a wise course to adopt—to have these hearings before a joint committee, although not necessarily to take evidence. I doubt very much if there is evidence to be taken at all under oath. The motion is simply to refer it to a joint committee. The committee for this House is named; the committee for the other House is not. We shall not know, I suppose, until we hear from them, whether they propose to appoint the same number as we appoint, or a larger number. We do not know what they will do. It is just possible they will follow the practice they have in England, and simply name an equal number. If that course is adopted, the objection of a number of hon. gentlemen to the joint committee will be removed. On the other hand the Commons may name twice as many. If they do it would be open to this House to do either of one or two things: if the Senate think it unfair, they can retreat from the position, or they can proceed, knowing that no matter what the report of the committee is, they are not bound to adopt it. We may assume that the whole twenty-four members of the House of Commons on the committee voted one way, and the twelve members from this House voted in another way, or there might be any combination of numbers; but I do not understand that this House is necessarily bound to adopt a single line of the report when it comes back. Therefore this House is not running any risk at all, whether the House of Commons names the same number of committee members we name, or a larger number. I do not think that the amendment moved by the hon. leader of the Opposition deals with the difficulty. I do not think he meets squarely in the face the reason assigned by the hon. leader on this side of the House for the appointment of the committee. He appoints a special committee to consult, or as he puts it, with instructions to communicate from time to time with the committee of the House of Commons. I do not see any object in that. There is no saving of the time of these bodies that I have mentioned, nor is there any saving of the time of the members either of this House or of the other House. There would not be a saving in the other case, as I have already pointed out. This is peculiarly a measure falling within the line of cases which are suitable for joint committees. I understand Mr. Blake's contention—the hon. gentleman in his remarks said that he thought, if the hon. gentleman had followed the lines indicated by Mr. Blake he would have agreed to it—but I understand the reason assigned for this is the very reason assigned by Mr. Blake as a justification for a joint committee. Nor does it fall within that class of cases that the hon. gentleman refers to as having been dealt with by the House of Lords, as being one of those subjects with which that House would not deal. As a matter of fact it is a question that this House deals with almost every day that it sits, and I am sorry that the amendment has been moved; I would much prefer if the hon. gentleman had

made a motion on the lines of what the hon. gentleman from De Lorimier mentioned the other day, in which he argued that the right thing to do would be to discuss the entire measure in Committee of the Whole. In that way we could have raised the question squarely whether or not the Government is going to save the time of these bodies I have mentioned, by having one hearing, or force them to have two hearings, or more than two. For these reasons I do not see why we should not accept the motion of the hon. leader of the Government in this Chamber.

Hon. Mr. DAVIS—I listened to my hon. friend who has just spoken, but he has failed to throw any new light on the subject, that I can see. He has not given any good reason why we should have a joint committee to deal with this question. He says there would be just as much time taken by members of the House of Commons on that committee as there would be on a committee of their own House, and the same would apply to this House; the only difference is that the evidence would not have to be taken twice. There is no necessity for taking the evidence twice. We have dealt with measures of this kind before. We dealt with the Grain Bill and it took more time than this Bill will take. We examined witnesses on that measure and we had stenographers reporting the evidence. It was printed, day by day, and handed to members of the House. It was published in pamphlet form, so that when the discussion of the Bill came before the House, every hon. gentleman had the evidence before him, and could make up his mind on that evidence.

Hon. Mr. POWER—And the Commons used the same evidence.

Hon. Mr. DAVIS—I quite agree that this is a very important measure. Transportation is the most important thing we have to deal with in this country. Canada is a country of magnificent distances; nothing affects the general welfare of the people, as much as transportation. For that reason a great deal of care should be taken in the discussion of this Bill. The hon. leader of the Government wishes to save time; why then did they not bring down this measure at the opening of Parliament? The Government incubated two years over it. I have gone over a great many clauses of the Bill, and I know something about it, and I find that one-half of the clauses are taken from a Bill which I have had before this House for two years. They have changed the phraseology some, and inserted the provisions in this Bill, and now they say, 'those are our ideas.' If the Government wanted to give all the attention they claim is needed to a matter of this kind, why did they not bring the measure down earlier in the session. I understood from my hon. friend—and we all thought there was not sufficient work to do in the Senate—that some Government legislation should emanate in the House; my hon. friend brings down this measure because we can give it more attention than the more busy House of Commons. I venture to say, notwithstanding the statement of my hon. friend yesterday with reference to this being a measure which should be handled by the other House, that we could deal with the Bill better than the Commons. I have acted on committees of both Houses, and I venture to say this House is quite as able, and a great deal abler, to deal with questions of this kind than the other Chamber. I shall give the reasons for this belief. Nearly every man in this House should be an expert on all kinds of legislation. In the other House you have an election every four years, and this brings in new men; many men sitting in the Commons do not know the liffer-ence between an anglebar and a crowbar —and yet they will tell us that they are more capable of dealing with a measure of this kind than we are. I venture to say this House can give such questions more time, thought, and experience, than they would receive in the other House. It all comes down to the question of not hearing the evidence twice. There is no necessity for that. If this measure goes to committee in the regular way it will receive all the attention there that is required, and the evidence will be printed, if the proper motion is made. The hon. leader of the Senate yesterday made the following motion:

> That this Bill be referred to a committee to be composed of members of both Houses, and that the members on the part of the Senate be: the Hon. Messieurs Béique, Bolduc, Bowell (Sir Mackenzie), Bostock, Gordon, Kerr, Power, Ross (Middleton), Thompson,, Watson, Young, and the mover.

To do what? I am responsible to a portion of this country, and I am not going to hand over my right to discuss this measure in committee, to any person. My hon. friend knows very well that if this Bill is referred to the Railway Committee of this House, or even to a special committee, when other members of the Senate wish to be heard the committee will grant

them the right. They can take part in the proceeding, in the same way, as members of the committee, except that they cannot vote. The conclusion we arrive at must be the conclusion of the committee, but no person will object to members who are not on the committee asking questions. The witnesses can be examined, and the committee will arrive at a conclusion. I do not see any good reason why this measure should be dealt with in any other way than ordinary measures of this Senate are dealt with. This is not a political measure. The hon. leader said yesterday:

The Bill is particularly a Bill that, under normal conditions, or under other conditions would be dealt with by the House of Commons.

This House is quite competent and has a right to deal with a measure of this kind as well as the other House. The hon. leader of the Government says that this is peculiarly a measure that would originate in the House of Commons rather than in the Senate, for the reason that the members of the House of Commons are more in touch with the various popular interests. That might be a good reason why the question should be dealt with in the Senate. Political influence might come in if it were taken up in the House of Commons. This should not be a political measure; it is a peoples' measure, a bulwark of the people against encroachments of railway corporations. My hon. friend said:

Members of the House of Commons are more closely in touch with the various interests involved in this Bill than the members of the Senate.

I do not agree with my hon. friend. Then he says:

Many of the subjects dealt with are what might be termed popular measures.

Do we not deal with popular measures in this House? Every measure introduced in the Commons has to come to this House, whether it is a popular measure or otherwise; my hon. friend will have to give us some stronger reason for supporting his resolution. He wants to submit this Bill to a committee without furnishing any statement of what he proposes to do. He mentions the names of the experts of this House who are to be members of that committee, but he does not say who will be the members from the other House. The Senate will act wisely if it sends this Bill to a special committee—to a special committee of this Chamber or to the Railway Committee, where it can be carefully considered. When it passes here and goes to the other House, the Commons can deal with it as they see fit. This is the most important measure brought in by the present Government since they came into power. The Railway Commission was appointed for the purpose of protecting the public against corporations, and we should give the commission any power it requires for the proper discharge of its functions—the protecting the public. That is what this measure should do. My hon. friend says that time is pressing, but we must take that statement with a grain of salt. The session is young yet, and we can deal with this Bill in a short time, and send it to the House of Commons. If we had not this measure to deal with, we would have to adjourn for want of something to do.

Hon. Mr. BEIQUE—With the leave of the House I would suggest that this matter be deferred until to-morrow.

Hon. Mr. CLORAN—Why?

Hon. Mr. BEIQUE—In order that the leaders on both sides might draft a resolution which would be satisfactory to the House. From an exchange of views that I have had with some members of the Senate, there is a consensus of opinion that the Senate should appoint its own committee, and that the committee should make an independent report to this House, but that this should not prevent the two committees meeting together, examining the Bill, and ascertaining if they are not in agreement upon certain clauses of the measure. That seems to be the feeling prevalent in this House, and if that course is taken, it will be merely a matter of wording the resolution. It would be worth while deferring the matter with the hope that we may arrive at an agreement.

Hon. Mr. CLORAN—Is the hon. gentleman authorized by the leader of the Government to make that suggestion?

Hon. Mr. BEIQUE—I am making the suggestion on my own authority. The leader of the Government is quite competent to speak for himself.

Hon. Mr. DOUGLAS—Ever since I have been a member of this House we have had full power to revise and amend measures according to our judgment. It was so even in the case of that formidable document, the Bill for the construction and management of railways, and I cannot understand that we have reached a point where we require new machinery to do that kind of work. We have full power to-day to deal with the

Bill, clause by clause, in the Committee of the Whole. Why, then, is it necessary to have a joint committee of the two Houses to deal with this Bill? We do not know how the House of Commons will be represented on a joint committee. Having confidence in this House as it is now constituted, the House where we sit to-day and do business, we do not require any additional consideration, any additional forces to be introduced into the Senate to deal with a question of this kind; it is altogether a novel thing if we are to have an addition made to our authority and force, to do work of this kind. It is for us, in the position in which we stand, and with the powers entrusted to us, as a supreme court—as we are in Canada—to do this very thing which we are empowered to do. Being independent, we exercise our independent judgment, and we should sit upon this question as a Committee of the Whole and give expression to our opinion. We do not want the opinion of a committee of a dozen, or two dozen, or three dozen, but we want the united convictions of the Senate.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. DOUGLAS—Let every man have an opportunity of expressing his opinion as to what change ought to be made, or ought not to be made. A Bill of this kind, with so many clauses to be considered, talked over, and viewed from various standpoints, cannot be considered in a hurry. It cannot be done by half a dozen or a dozen of men. The measure will require a very great deal of time, to take it up clause by clause, if we are to come to a wise conclusion. We wish to do by this Bill the very best thing that can be done for the people of the country, generally. We wish to be careful not to allow the corporations of this country to make inroads upon our power, or upon our authority; and we can easily understand why there is a desire on the part of certain corporations to come together, in this round-about way, full of what might be called the cunning of the fox under the fence—that they may get what they want without it being properly presented, properly discussed, or properly argued, and that they may get what they want without the people being aroused to the dangers to which they are exposed. I certainly am adverse to making any change in our mode of procedure in revising any amendments that may be made to the Railway Act. I see no need for any change; circumstances do not require any; our present machinery is all that is required to do the work.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. McKAY (Cape Breton)—I endorse most emphatically the suggestion of my hon. friend from De Salaberry (Hon. Mr. Beique), and I do not see why that suggestion should not meet the approval of the hon. members of this House. This Bill which has been introduced, 'An Act to consolidate and amend the Railway Act,' is very large and extensive, and it will be utterly impossible to deal with it this session, without submitting it to a special committee or a select committee. It does not matter whether the motion or the amendment prevails, we must have a special committee.

Hon. Mr. CLORAN—No.

Hon. Mr. McKAY (Cape Breton)—My hon. friend from Victoria Division says no; but if this Bill is to be taken up, either under the motion or the amendment, it would require the evidence of experts to be taken.

Hon. Mr. THOMPSON—Let us have them.

Hon. Mr. McKAY (Cape Breton): You will have to receive them here, from the railway departments, from all the transportation departments, from the men who use the railway lines, from all parties who have any connection or business whatsoever with the railway companies of this country, and you must have that evidence taken down and assembled in such a manner that you can use it intelligently for the proper revision and amendment of this Act. To do that, I submit, a considerable amount of time would be required, because in this Act we have an enormous amount of material which must be eliminated. How do my hon. friends who have opposed this method of procedure propose to eliminate all the mass of detail, which it will be necessary to eliminate?

Hon. Mr. CLORAN—Eliminate it in the committee.

Hon. Mr. McKAY (Cape Breton)—We cannot eliminate it in the Committee of the Whole, because we cannot take evidence before a Committee of the Whole.. We have to take evidence outside of this House.

Hon. Mr. DERBYSHIRE—Hear, hear.

Hon. Mr. McKAY (Cape Breton)—That is where I see the difficulty presenting itself, and that is where hon. gentlemen who have addressed this House fail to realize that the Commit-

tee of the Whole of this House is not in a position to proceed with this Bill. They cannot receive the evidence which will be necessary, in order to revise, amend, arrange and consolidate, in order to receive the approval of this Chamber and send the measure on to the other Chamber, unless we have evidence taken before a select committee.

Hon. Mr. CLORAN—There is no question about that.

Hon. Mr. McKAY (Cape Breton)—Therefore I strongly endorse the suggestion made by my hon. friend (Hon. Mr. Beique) that this matter be allowed to stand over to see if some modus vivendi cannot be reached whereby some arrangement may be made, so that this matter can be intelligently dealt with by this House. I am told, in fact, I have heard hon. members make the statement during this discussion, that the introducing a Bill of this magnitude and character to this House, is a new departure, and I have heard hon. members congratulating the leader of the Government in this House on having this Bill brought before this House. If such is the case, then it is due to ourselves that we proceed in the right way to deal with it.

Hon. Mr. YOUNG—Move the adjournment of the debate, then.

Hon. Mr. POWER—I do not rise for the purpose of prolonging the discussion. I quite concur in the suggestion made by the hon. gentleman from De Salaberry (Hon. Mr. Beique) which has been endorsed by the hon. gentleman from Cape Breton (Hon. Mr. McKay). The hon. leader of the House should not expect this House to take a leap in the dark, and that is just what he is calling upon this House to do, when he asks us to appoint a certain number of gentlemen as a committee of twelve to meet an unknown number of gentlemen from the House of Commons. Before the leader of the House can expect this House to concur in his motion, he must ascertain that the other House is not going to have such a representation on the joint committee, as will swamp our representation.

Some hon. GENTLEMEN—Hear, hear; that is right.

Hon. Mr. POWER—Nearly every hon. gentleman in the House will agree on that proposition. I am not going to dwell on the seriousness of the business, for every one recognizes it. There is just one other point; my name was used with my concurrence as the seconder of the amendment moved by the hon. leader of the Opposition. I consented to have my name so used, not because I was in love with the amendment, but because I thought it was not quite as bad as the original motion; had I been acting on my own initiative, and doing the thing that I felt like doing myself, I should have moved an amendment somewhat in these words:

That the said Bill be referred to the Standing Committee of this House on Railways, Telegraphs and Harbours for consideration and report, with power to send for persons, papers, and records, to examine withnesses under oath, to hear counsel, to employ shorthand writers, to have the evidence and addresses printed, and to report such evidence from time to time.

Hon. Mr. CLORAN—We are all in favour of that.

Hon. Mr. POWER—Hon. gentlemen will see that if that course were followed—a course which has been adopted in former years with respect to other important measures—there would be no necessity for an additional hearing in the Commons, because all the parties who wished to be heard would come before our committee, the evidence would be reported at length and distributed amongst the members of the Commons as well as the members of this House.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. POWER—That is my position With respect to the motion and amendment, I am somewhat like Mercutio. I move that the debate be adjourned.

Hon. Mr. LOUGHEED—Until to-morrow, to be the first order after the third readings.

The motion was agreed to.

WHITE PHOSPHOROUS MATCHES BILL.

IN COMMITTEE.

The House resumed, in Committee of the Whole, consideration of Bill (103), An Act to prohibit the manufacture and importation of matches made with white phosphorus.

(In the Committee.)

On clause 10:

Hon. Mr. LOUGHEED—I informed the House yesterday that the Criminal Code makes provision for the clauses which we discussed, as to the collection of penalties.

Section 739 (b) is as follows:

That in default of payment of the said penalty, compensation or sum of money, and

costs, if any, forthwith or within a limited time, the defendant be imprisoned in the manner and for the time mentioned in the said Act or law, or, for any period not exceeding three months, if the Act or law authorizing the conviction or order does not specify imprisonment, or does not specify any term of imprisonment, unless the same and the costs and charges of the distress and of the commitment and of the conveying of the defendant to jail are sooner paid.

The Criminal Code makes provision for all the machinery.

Hon. Mr. POWER—What is to be done, then, in that case ?

Hon. Mr. ROSS (Middleton)—He can be given three months' imprisonment.

Hon. Mr. THOMPSON—What about the last one ?

Hon. Mr. LOUGHEED—As to clause 13, I have made an inquiry of the Department of Labour as tc the reason assigned by those interested, for the postponement of the coming into force of the Act until the 1st day of January, 1916. I am informed that most of the industries involved or engaged in match-making—I shall not say all of them—as well as other parties, have pointed out that it would not be practicable to bring this Act into force until the expiration of that time without doing a gross injustice to those who are engaged in the business. Various experiments will have to be resorted to, for the purpose of determining what substance can be used to the best advantage for match making. I am informed that the Eddy people have been engaged for the last year in experimenting on this subject—as yet without satisfaction to themselves. I am further informed that such experiments can be best made in cold weather, and it is desirable that next winter should be allowed for those experiments, as establishing a finality as to the substances to be used. I am told there are about a dozen substances that can be used as substitutes for phosphorus. Furthermore, the Royal Society of Canada, which seems to take a very deep interest in this subject, waited upon the Minister of Labour, and I have here a memorandum from the department, of the recommendations which the Royal Society made:

Memo. re Phosphorous Bill and Date of Enforcement of Proposed Statute.

The president of the Royal Society of Canada, in the statement submitted on behalf of the deputation which waited on the Minister of Labour November 21, 1913, referred to this point as follows :

In Canada this dangerous industry is not even regulated by law. Absolute prohibition is necessary and will prove here, as elsewhere, to make for the best interests of the manufacturers as well as for the safety of employees and consumers. Finally legislation in harmony with this resolution should be asked for at the earliest possible date, as ample time must be allowed the manufacturers to adjust themselves to the new conditions, and the dealers to dispose of their stock. At least two years must elapse from the date of enactment before the prohibition can become fully effective.

The deputation from the council of the Royal Society of Canada was composed of the following : Dr. Frank D. Adams, Montreal, president; Honourable Rodolphe Lemieux, M.P., former Minister of Labour, Sir James Grant, Mr. Benjamin Sulte, Mr. W. D. LeSueur, and Dr. F. W. King, of Ottawa, former presidents of the Royal Society; Mr. D. C. Scott, Ottawa, honorary president; Mr. L. M. Lamb, Ottawa, honorary treasurer; Dr. Rattan and professor C. H. McLeod, of McGill University, Montreal, Dr. O. J. Klotz, Mr. R. W. Brock, director of the Geological Survey, Dr. D. B. Dowling, and Mr. Souvigny de Montigny, of Ottawa.

Correspondence with the Minister of Labour has also shown that while the manufacturers appear to be disposed to accept the necessities of the new legislation, some injustice may be worked them, especially in the case of the smaller concerns, if they are not given reasonable time to adjust themselves to the situation, in their experiments with new methods, etc. On this point it may be remarked that it has been urged that some of these experiments can be best carried on in cold weather. For this reason manufacturers had suggested that the Bill become effective on May 1 rather than January 1 of any year, and had passed on the minister the desirability of postponing until May 1, 1916, the date on which the new legislation shall be effective. The minister has not favoured postponement beyond January 1, 1916.

There is, of course, the additional point that the intervening period will enable the dealers in matches to dispose of stocks which had accumulated.

F. A. Acland, D.M.L.

These are the only reasons that I can give the committee for the fixing the date, as embodied in the Bill.

The clause was adopted.

Hon. Mr. GORDON, from the committee, reported the Bill without amendment.

BILLS INTRODUCED.

Bill (10), An Act respecting the Barcelona Traction, Light and Power Company, Limited.—Hon. Mr. Ross (Moosejaw).

Bill (22), An Act respecting Brazilian Traction, Light and Power Company, Limited.—Hon. Mr. Talbot.

Bill (23), An Act respecting British American Nickel Corporation, Limited.—Hon. Mr. McHugh.

Bill (27), An Act respecting the Southern Ontario Pacific Railway Company.—Hon. Mr. Gibson.

Bill (79), An Act to incorporate the

Bruce Peninsular Railway Company.—Hon. Mr. Donnelly.

Bill (87), An Act to incorporate the Erie and Ontario Railway Company.—Hon. Mr. Gordon.

Bill (91), An Act respecting the Northern Territorial Railway Company.—Hon. Mr. Watson.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

Thursday, April 2, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THIRD READINGS.

Bill (M), An Act respecting the Grand Trunk Railway Company of Canada, and the Canada Atlantic Railway Company.—Hon. Mr. Young.

Bill (75), An Act respecting The Continental Fire Insurance Company of Canada.—Hon. Mr. Watson.

Bill (53), An Act respecting The Empire Life Assurance Company of Canada.—Hon. Mr. Derbyshire.

Bill (H-2), An Act to incorporate The Prudential Life of Canada.—Hon. Mr. Young.

BILL INTRODUCED.

Bill (P-2), An Act for the relief of Frederick Joseph Campbell.—Hon. Mr. Pope.

EASTER ADJOURNMENT.

MOTION.

Hon. Mr. LOUGHEED moved:

That when the Senate adjourns to-morrow, it do stand adjourned until Wednesday, the 15th instant, at three o'clock.

The motion was agreed to.

WHITE PHOSPHORUS MATCHES BILL.

THIRD READING POSTPONED.

Hon. Mr. LOUGHEED moved the third reading of

Bill (193), 'An Act to prohibit the manufacture and importation of matches made with white phosphorus.'—Hon. Mr. Lougheed.

Hon. Mr. YOUNG—I understand some information has been obtained on this subject by some of the manufacturers only recently, and they desire to present to the Government some features of the situation that may arise under this Bill. Would the hon. gentleman consent to have the Bill stand over, so that in the interval these gentlemen, if they so desire, may place their case before the Government? The Bill, through such postponement, is not jeopardized in any way, because it has already been passed by the Commons. The manufacturers feel that the consequences will be serious, if the Bill is passed in its present shape.

Hon. Mr. LOUGHEED—I am quite willing to adopt the suggestion of my hon. friend, and I move that the Order of the Day be discharged and placed on the Orders of the Day for the 15th April next.

The motion was agreed to, and the Order of the Day was discharged accordingly.

RAILWAY ACT CONSOLIDATION AND AMENDMENT BILL.

The Order of the Day being called:

Resuming the adjourned debate on the motion of the Hon. Mr. Lougheed that (Bill B-2), 'An Act to consolidate and amend the Railway Act,' be referred to a Joint Committee of both Houses and the motion in amendment thereto of the Hon. Mr. Bostock.

Hon. Mr. POWER—I suppose that every hon. gentleman has made up his mind on this question, and that any observations I might make would not change the opinion of any senator; I therefore do not propose to say anything on the subject.

Hon. Mr. LOUGHEED—I have been very anxious to meet the views of hon. gentlemen on both sides of the House with reference to this Bill. I am not necessarily wedded to any arbitrary procedure on the subject, but I hold strongly that it would not only be to the advantage of the Senate, but to the advantage of the Bill itself, that it should go before a joint committee. I do not share the views already expressed by several of the hon. gentlemen, that by accepting this proposal this Chamber is abdicating in any sense the rights and the privileges which belong to it in dealing with a measure of this character. Even should the Bill go to a joint committee, constituted as joint committees are, this Chamber would in no sense release any right which it has to deal with the Bill, once it leaves the joint committee. The Senate is not bound to accept a report of a joint committee any more than it is bound to accept the report of one of our own committees. Upon a report being made to this Chamber, it could be referred back again by this Chamber to

our own Committee on Railways, Telegraphs and Harbours; it could be referred to any special committee, or it could be referred to a committee of the whole House; and every hon. gentleman would have quite as great freedom in moving amendments to the Bill as he would if it had not gone before the joint committee. It seems to me that if the practice of referring Bills of this kind to a joint committee is sufficiently good for the Mother of Parliaments, it should sufficiently recommend itself to the Parliament of Canada. Since 1861 the practice has not only been recognized, but has been carried out, most largely, in the British Parliament. Joint committees have dealt with Bills not only of this character, but of the widest range of subjects. There are no less than 50 or 60 subjects dealt with by joint committees in the British House of Parliament. We have recognized the principle in this Parliament, not only in dealing with routine matters, but in dealing with legislation of the character before us. As I previously said, we dealt with the Criminal Code by a joint committee; the Parliament of Canada dealt with the consolidation of the statutes under a joint committee; annually we appoint joint committees to deal with the Library of Parliament, and with the Printing of Parliament; and there has never been, to my knowledge, any friction between the two Chambers in the proceedings of a joint committee. Now it is quite manifest that the work of a Senate Committee, in dealing with this Bill, involving as it will the hearing of representations from most numerous bodies, will largely go for naught, except some co-operation takes place between the two Houses of Parliament. In the very nature of the Bill itself, it is most desirable that there should be some co-operation—I care not how it may be arrived at, so long as that co-operation is brought about between the two Houses. As I pointed out when introducing the Bill, the measure is one which is largely of a popular character, representing the views of the masses of the people, representing more democratic views than probably have been embodied in any such measure, hitherto. If this committee of the Senate hears all the representations which must necessarily be made on such a Bill—extending over probably several weeks of time—without the Commons having the opportunity of hearing the same representations, and without there being an interchange of views, of thought and of action between the two Houses—I say it renders it almost impracticable that we shall be able to arrive at a satisfactory conclusion as to what should be done upon the various controversial questions which must necessarily present themselves to the members, in dealing with this Bill. I am perfectly satisfied that this measure should go to the Railway Committee of the Senate, if this Chamber so desires. Although this is a Government measure, and although the Government has particular views as to how it should be dealt with, yet we are prepared to relinquish those views and permit the Bill to be dealt with by the Select Committee on Railways, Telegraphs and Harbours; but I point out to hon. gentlemen that even if that committee should deal with it, there is no assurance of finality, or agreement, between the two Houses on the many contentious subjects which must arise in dealing with the Bill. I have made proposals to hon. gentlemen on the opposite side of the House, particularly to my hon. friend opposite, looking to some scheme being devised by which representatives of both Chambers may come together and jointly hear this evidence, and jointly act, reserving to each party the right to report to its own House. I would suggest that this House should appoint a special committee, that the Commons should appoint a special committee, and that those two committees should come together, should unite, should act together in hearing the arguments that may be presented and the representations that may be made by the different bodies desiring to be heard on the subject, and that each section shall report to its own House—that is, the section representing the Senate should report to the Senate, and the section representing the House of Commons should reserve to itself the right to report to the Commons, what the respective conclusions may be upon the Bill. In other words, each section should reserve to itself the right to report what it thinks should be reported to the House it represents.

Hon. Mr. THOMPSON—Do I understand that each section would have a right to report its own findings without reference to the other section?

Hon. Mr. LOUGHEED—Yes, that is what I suggest with a view to reaching a satisfactory conclusion of this difficulty. That would give each House the advantage of avoiding repetition of the representations which must be made before the committee. It will permit the House of Commons to thoroughly discuss and to ventilate the matter, and to arrive at any conclusion

it may think fit upon any subject that arises for discussion in the consideration of the Bill. So much the better, if the section of the committee representing the Senate, can view the subject the same way as the section of the committee representing the Commons. I feel thoroughly satisfied that if a number of men gifted with common -sense, as all the hon. gentlemen in this Senate are, should come together with an equal number, or even a larger number of the members of the House of Commons, they can readily arrive at a common judgment, or conclusion, upon the subject with which we are called upon to deal. Why should there be any difference between both Houses ? It surely is a reflection upon the House of Commons to say that we should look with any apprehension or any doubt upon the conclusion which that section would arrive at upon so important a subject as may be involved in the Railway Bill. Surely there should be no fear felt that there would be a deadlock, or any disagreement, or any great divergence of view.

Hon. Mr. THOMPSON--If I understand the hon. gentleman, he suggests that the joint committee should act in respect to this Bill, hear the evidence, listen to the statements of the different parties who may desire to be heard, and when they have done that, their duty as a joint committee, practically ceases. The members representing the Senate would, practically, go into session by themselves to make a report to the Senate, and the members of the House of Commons would be in session by themselves, making their report and findings on the evidence.

Hon. Mr. LOUGHEED—That would not be quite the method to be persued. My view would be that those two committees should unite and act together in hearing the evidence, that they should take up each section of the Bill, and hear representations upon that section. If they can agree upon the section, that disposes of it; if there is any divergence of views upon it as between the two divisions of the committee, the section is reserved. That is to say, if the Senate should have a pronounced view upon a section different from that of the Commons, they would make a report upon that; but it seems to me that it would be undesirable to desist in agreement on the Bill, and then perhaps after three or four weeks might elapse, take up the Bill item by item or clause by clause. It should be disposed of as we go along, but under this plan the identity of the special committees would be preserved, and would not be merged in any way with the united committee. They have a perfect right to reserve to themselves the right to report to this Chamber on the Bill, just as if they were not uniting, or acting with a committee of the Commons. The object is that there should not be a repetition of the representation which would be made by public bodies and others before the committee.

Hon. Mr. POIRIER—Will not the evidence be of a mixed character?

Hon. Mr. LOUGHEED—Not necessarily.

Hon. Mr. YOUNG—Would the two committees not be merged in their deliberation until they find a divergence of opinion?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. CLORAN—And they would come back to the House and the House would have the right to override anything they had done.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. CLORAN—That is the work that is unnecessary.

Hon. Mr. LOUGHEED—Select committees are sitting almost every day, and a Committee of the Whole has a right to upset the work of the Select Committee, with the instruction to do any and all things; but it never does it. It is a very rare occurrence for this Chamber to disagree with the report of a Select Committee.

Hon. Mr. CLORAN—That is what I have always held.

Hon. Mr. YOUNG—It is an absolute right.

Hon. Mr. LOUGHEED—What I would like to fully consider is, whether it is at all practicable for the Railway Committee of the Senate to deal with this subject at arm's length with the House of Commons? It is a very contentious Bill, and we may spend three or four weeks on the Bill hearing the many representations that will be made, and yet when it comes into the House of Commons, and those representations are made to a committee of the Commons, it may arrive at an entirely different conclusion. The question will then arise, how will we come together again to adjust those differences which may arise between the two Houses? Those differences can

only be settled by a conference. I need not point out to you how cumbersome the machinery of a conference is, and how unsatisfactory it is in obtaining mutuality of views. It seems to me that the common sense of both Houses should prevail upon this subject and that a certain number from each House should get together and give their very best attention and ability to make this measure as perfect as possible. It is the requirement of the country that it should be done; and it is in the interests of both Houses that they should combine their abilities in framing legislation, especially on a Bill of this kind. I leave it entirely to the House. I am entirely in your hands as to how this Bill should be dealt with. If it is thought best to postpone it until to-morrow in order to arrive at some understanding I am willing to postpone it.

An hon. GENTLEMAN—No, no.

Hon. Mr. SPEAKER—I suppose it is understood that we have a free discussion on this question. A number of hon. gentlemen are rising to speak, and some are going twice and thrice over the same ground.

Hon. Mr. LOUGHEED—There is very little other business to be done to-day, so we might as well discuss this.

Hon. Mr. BOSTOCK—I appreciate very much the desire of the hon. leader of the Government to deal with this matter in a way that will facilitate the business of this country, and his desire to bring together the representatives of both Houses to hear the evidence, arguments and discussion that may arise over the different clauses of this Bill; but I have been unable to exactly agree with him as to the method in which this could be done. The idea that he suggests, of a joint committee, has not always resulted in harmonious relations, if my reading of the precedents is correct. I find that joint committees have not always been harmonious, with the result that they did not accomplish the work they were supposed to do. The most satisfactory and most reasonable way of dealing with this matter was the proposal that this House should appoint a special committee of its own, and that if a special committee was appointed in another place those two committees should have power to come together and arrange to hear the evidence, and carry on the business in connection with this Bill; and that each committee should make a report to that part of Parliament from which it originated. If the Senate should appoint a special committee, and a special committee is appointed from the other House, those two committees could be left to themselves to arrange the procedure as to hearing the evidence, and as to what they should do in regard to any future work, after they had heard the evidence on the Bill. Each committee could then report to the House from which it originated, and the work would be done with greater satisfaction, and with the greatest facility, and with the least loss of time that can be arranged. In the case mentioned by the hon. leader of the House which came up in 1861 in the British House of Commons, Lord Granville who suggested the procedure said:—

> Earl Granville in rising to move the appointment of a Select Committee on public business of the House said it would be in the recollection of the House that the noble opposite (the Earl of Derby), at the close of last session made some suggestions tending to secure a more legitimate despatch of their Lordship's parliamentary business since which on the last evening as their Lordships were aware, a debate had taken place on the same subject in another place. The question well deserved the attention of their Lordships no doubt. The position of the two Houses in respect to the business brought before them was not identical, but at any rate the charge of delay could not be urged against the proceedings of the House of Lords.
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> The Noble Earl (the Earl of Derby) had suggested a Joint Committee of both Houses, but he thought himself that it would be most conformable to practices and most convenient to have two committees sitting concurrently and in constant communication with each other. Such a mode of procedure would give more force and character to their inquiries and recommendations. His Lordship then moved 'That a Select Committee be appointed to consider and report how, by any alterations in the Forms and Proceedings of this House, the despatch of public business can be most effectually promoted.'

Then, after that debate was carried through there were other members of the House of Lords, who spoke in favour of that method of procedure rather than by means of a joint committee. The Lord Chancellor said:

> He thought that many of the matters which had been referred to had much better be postponed till the committee was appointed. There was a great deal of difficulty connected with the suggestion for a Joint Committee of both Houses; the Forms of the two Houses would hardly admit of such a proceeding, but with a good understanding between both branches of the Legislature the substantial advantages of such a committee might, nevertheless, be obtained for that purpose. He thought it most desirable that the two committees should proceed pari passu.

Then, after the first motion was agreed to, it was ordered:

That the committee have power to communicate from time to time with the Select Committee of the House of Commons appointed to consider how any alterations in the Forms and Proceedings of the House, the despatch of public business can be effectually promoted.

Now that is the procedure we should find most acceptable, and would work out to the best advantage in this particular case. Of course, as is stated there, the object of appointing those committees in that case was largely concerned with the public business of both branches of the Legislature, and it is possible that the amendment to the motion of the hon. leader of the Government the other day might be modified in some slight degree to make it clearer to the members of this House how the actual work of these two committees would be done. But I do not think that we can do as well with a joint committee as we can by following the procedure which I have tried to outline to the House. I therefore should be pleased to accept the offer made by the leader of the Government, that this matter should be deferred until we have time to discuss it and possibly arrive at a conclusion which will be acceptable to both sides of the House.

Hon. Mr. CHOQUETTE—I am glad to have proof that the voice of five or six progressive and independent members of this House affords the Government and the Opposition an opportunity to recede from the position taken a few days ago. That is something. The Government took one position; the Opposition took another, and I am glad to see that we have convinced both of the desirability of receding from the position they had assumed. But they have not told us what they are prepared to do. The leader of the Government says he is willing to leave the matter in the hands of the House. The leader of the Opposition says he is willing to meet the Government, and effect some compromise. I am quite willing to accept a compromise, but I might be allowed to make a suggestion: In order to preserve our complete autonomy to deal with this Bill ourselves, I should be inclined to think that it might be well to move that this Bill be referred either to a select committee of this House or to our Railway Committee as usual.

Hon. Mr. CLORAN—That is the proper way.

Hon. Mr. BOSTOCK.

Hon. Mr. CHOQUETTE—Then, when the Bill is referred either to a special committee or to the Railway Committee, we could perhaps then send a message to the other House with the good will of the leader of the Government, and inform the other House that a committee of this House is going to consider this measure, and if they are willing to delegate an equal number of their members to that committee, we shall be delighted to receive them, to give them the liberty to put questions to witnesses, and to express their views.

And when the whole question has been discussed before the committee, then our committee will make a report to this House. We will have then the opinion of ten or twelve of the most prominent members of the House who have had experience in railway matters, and the whole matter will be brought before us. We will have preserved our autonomy. Then we can go on and pass the Bill and send it to the Commons with the evidence. I do not know if my suggestion is workable, but it seems to me that it is, and that it is the proper course to follow. Not knowing what has been decided between the two leaders, whose opinions I greatly respect, I merely give my view and express the belief that something might be done to expedite the passage of the Bill.

Hon. Mr. CLORAN—A new difficulty presented itself to my mind, and it is this: How can the House of Commons take cognizance of a Bill and take action thereon, when that Bill is not before it? Suppose any member of the House of Commons should rise this afternoon and propose the appointment of a committee to consider this Bill; the member next to him could rise to a point of order and say 'This hon. gentleman is moving for the appointment of a committee on a Bill that is not yet before us, a Bill of which we have absolutely no knowledge.' Has the leader of the Government thought of that matter? The House of Commons cannot take action on this Bill until it is before the House. Yesterday I gave my views on the question of sending an important Bill of this nature to a select committee. I said the reason I objected to this course was that when these special or select committees reported Bills back, either with or without evidence, it was very difficult for the House to override the conclusion arrived at. It had been stated a dozen times by other speakers that the Committee of

the Whole will have the right to discuss the whole subject, to delve into all the provisions of the Bill, to alter, change, or put them aside. What does the leader of the House tell us to-day? Exactly what I said yesterday, that it would be almost impossible for this House to reject the conclusion of the select committee that would be appointed to examine into this Bill. These are his words: He said it would not be fair for this House or the Committee of the Whole, after appointing a select committee, to reject their recommendations and their conclusions. That is his position; and that position I oppose with all my might. I do not want the Senate of Canada to be controlled by the decisions of seven, eight or nine members of a select committee, and let that practice become established. Why? Because the seven, eight or nine members do not represent the feeling of this House, the interest of the country, or the wants or needs of the people. Take the 12 members proposed by the hon. leader of the Government in connection with this Bill, and whom do we find named? We find on that committee men well-known to be champions of corporate interests; there is no doubt about that. I do not blame these men. Everybody to his liking. Who have you on that committee who will represent the rights and interests of the farmers, the working classes, and railway employees, and the people who have to use the country's transportation. I have no objection to these men personally, but we all know their inclinations, associations, and tendencies. They are all laudable, as far as they go, but they have to be watched. Have you a Davis on that committee to look after the interests of the West; have you a Choquette or Douglas on that committee? I could mention a dozen others.

Hon. Mr. DAVIS—They have left Saskatchewan off entirely. Saskatchewan has no interests at all, apparently, in this Bill.

Hon. Mr. CLORAN—Then this committee, which is as respectable as could be named, will report back to the House, and we are told by the hon. leader of the Government that it would be scarcely fair for the House to reject their conclusions. The word 'fair' is not the word he used, but it amounts to that. He said it would not be reasonable to reject their recommendations. I hold now, and will always hold, that I shall take no conclusions of a select committee as binding and final.

Hon. Mr. KIRCHHOFFER—That fixes it.

Hon. Mr. CLORAN—This Bill will be much better in the hands of our ordinary Railway Committee, which does not expect favours at the hands of the House, or at the hands of a committee of the whole. It makes its report, we take up the report and dissect it as we please. There is no necessity for this Bill to go to a committee, unless new evidence is required. My question of yesterday has not been answered. I put the question fairly and bluntly: 'Is any new evidence required by this hon. House to enable its members to judge as to the provisions of this Bill, and to pass carefully thereon?' My question has not been answered. I have assured the hon. leader of the Government that I have every faith in his statement, that before this Bill was finally drafted as now presented to us representations of all interest were made to the proper officers of the Government, to the staff of both departments—the Railways and the Justice Departments. Now, if such be the case, where is the need of calling in new evidence? If the need exists, I am willing, and will vote to have the Bill referred to the Railway Committee to take that new evidence, whatever it may be. But I hold that any new evidence you will get will be very slim. The hon. leader of the Government has already told this House that all the railway companies have put in their arguments, their claims, their representations, their wants and needs; that the municipalities have been heard; that the railway employees have been heard; that the farmers have been heard. Now, if that is the case, what is the use of duplicating this work? Will these same interests come back here before our committee, and spend days, weeks and months to give evidence on cross-examination? We would then learn what cross-examination means. When a witness is in the box for an hour or two, and is cross-examined by 10, 15, or 20 members of a committee, by the time he gets through he has not said anything; everything is mixed. The proper way, or one of the proper ways, to deal with a measure of this kind is to have from these various public or corporate bodies a factum. Let the railway companies of the country get together, examine the Bill, see what in it is against their interests, and put the statement in writing; it would not take very many pages to do so. We do not want any witnesses to give us information whether a cow ought to be paid for when it is killed, or anything of that kind; such evidence is useless. Let the railway

companies and the municipalities put their views in the form of a factum. There is a central organization of municipalities throughout the Dominion; let them examine the Bill and see whether there is any provision which conflicts with the rights and privileges of municipalities. Probably there are not three clauses, not half a dozen, clauses in the Bill, that would conflict with, or endanger the interests or rights of those municipalities. Let them put in writing a statement about such clauses. If there is any lack in the Bill the railway companies will be able to set it out in a very short factum. Suppose clause 267 is against their rights, they might say: 'This is the way we would like to have it worded; this is the way we would like to have Parliament consider that clause.' Or, 'There is a lack in the Bill, we want a certain provision put in, to protect certain interests and rights.' That could be done with the railways, and also with the farmers, who are also an organized body. Then you have transportation interests in connection with the boards of trade. You do not want every board of trade from Vancouver to Halifax to come here and put their views before this House; they are an organized body and could put their representations in a very small factum and send them here, and we will examine them. That would be a much more practicable, serviceable and profitable method than to bring a hundred or two hundred witnesses here to be contradicting one another, and having one member of the committee pull an answer from a poor witness, while another would have him contradicting himself a little later. That kind of an inquiry, that kind of investigation is getting to be played out. The proposition I am making ought to appeal to the Government, and necessarily would appeal to any man of common sense. I am sorry to have been one of the five stalwarts yesterday who stalled both the Government train, and the Opposition train, and brought them to a standstill. They are still in conference to find where they are at, and what they are going to do. We five know what we want; we tell you very plainly what we want, and the country knows that we are right. Under the circumstances I fail to see that there is any necessity for this vast investigation, which we are told will last several weeks. I have no doubt it will last several months, if you want to keep it up. I hold it is absolutely unnecessary in view of the solemn declaration made here by the leader of the Government that all these various interests have been already heard by the proper and competent authorities of the Government of the day. I am prepared to take that statement, and I shall only decline to accept it when it is proved to me that the declaration of the leader of the Government in regard to this matter was not complete, that there were interests that were not heard from, or that the staff who drafted the Bill played into the hands of the corporate interests as against the interests of the people. If that could be proved to me, I would demand a re-opening of the investigation, in order that the proper witnesses might be called. I see no necessity for a lengthy investigation, keeping the committee in session for months. Let the House of Commons attend to their own business, and let the Senate conduct its business irrespective of the Commons. We have done so up to the present time. The quoting of precedents in the British Parliament does not appeal to me. We are here to exercise our hard, common sense, according to the needs of the day, and not according to views of centuries past and buried. I hold that this Senate should not be mixed up with the House of Commons in considering Bills of this kind, which may be controversial and contentious, and perhaps political. I hope there is nothing political in this measure. Let us deal with the measure on its merits, send it to the Commons and let them look after it for themselves. If we have a joint committee with the House of Commons, or a special committee of the Senate to be in communication with the Commons committee, we will have friction, quarrels, and all kinds of trouble. It will take less time to deal with this measure in the ordinary way than to appoint a joint committee. The Railway Committee, or the Committee of the Whole, could dispose of this inside of a week. Our Railway Committee would not sit for several weeks, calling in every Tom, Dick and Harry to give evidence regarding each clause of the Bill. The only clause necessary to be investigated are those where the corporate interest conflicts with the interest of the people. If evidence is required, the proper course is to refer the Bill to the Railway Committee. If no new evidence is required, then refer it to the Committee of the Whole, and there will be no standstill in the passing of the legislation.

Hon. Mr. DAVIS—This is a very important Bill, and deals with the interest of the people, more particularly the pro-

ducers in our part of the country. We ship a lot of grain, and diverse questions which affect the West arise in this Bill. How did the hon. leader come to the conclusion that Saskatchewan was not entitled to representation on the committee? Was there no one from that province capable of acting, or is it a political idea, or has the hon. gentleman his knife in Saskatchewan? There must be some reason for it.

Hon. Mr. LOUGHEED—I felt assured that the presence of my hon. friend in this Chamber would be sufficient to protect Saskatchewan. With regard to the members mentioned for that committee, it is entirely within the judgment of the House to either accept the names which I have suggested, or to replace these names by others, or, in the alternative, to enlarge the committee. I should be very glad to see Saskatchewan represented on that committee. It never occurred to me that we were placing representatives of each province on the committee, but I am quite satisfied that the committee should be enlarged, so as to permit of representation of that kind.

Hon. Mr. DAVIS—My hon. friend will find that he has given representation to every province except Prince Edward Island and Saskatchewan.

Hon. Mr. CLORAN—They give Manitoba twice as many as they are entitled to.

Hon. Mr. DAVIS—Saskatchewan should have a representative.

Hon. Mr. LOUGHEED—I have no objection to that.

Hon. Mr. BOSTOCK—I would suggest that the Bill be allowed to stand until to-morrow.

Hon. Mr. LOUGHEED—We can remedy that.

Hon. Mr. ROSS (Middleton) moved that the debate be adjourned until to-morrow.

Hon. Mr. CHOQUETTE—Is the Bill to be proceeded with to-morrow?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. CHOQUETTE—A good many members will be away to-morrow, and there is no object in proceeding with it until after the Easter adjournment.

Hon. Mr. LOUGHEED—When there is so important a matter before the House, I am sure the hon. member from Grandville will stay to attend to public business.

Hon. Mr. CHOQUETTE—This matter has been dragging for two or three days, and we might just as well decide it now or postpone further consideration of the Bill until after Easter.

The motion was agreed to.

SECOND READINGS.

Bill (J-2), An Act respecting The Berlin, Waterloo, Wellesley and Lake Huron Railway Company.—Hon. Mr. Bostock.

Bill (K-2), An Act respecting The Western Dominion Railway Company and the Alberta Pacific Railway Company.—Hon. Mr. Talbot.

Bill (L-2), An Act for the relief of Charles Low Hutcheon.—Hon. Mr. Derbyshire.

Bill (M-2), An Act for the relief of Jessie Eleanor Grassett Parkhurst.—Hon. Mr. Derbyshire.

Bill (N-2), An Act for the relief of William Godfrey Thorp.—Hon. Mr. Talbot.

Bill (92), An Act respecting The Premier Life Insurance Company.—Hon. Mr. De Veber.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

Friday, April 3, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

FARNHAM AND GRANBY RAILWAY COMPANY BILL.

FIRST AND SECOND READINGS.

Bill (Q-2), An Act to incorporate the Farnham and Granby Railway Company.—Hon. Mr. Lavergne.

HOMESTEAD ENTRIES ON INDIAN RESERVE.

INQUIRY.

Hon. Mr. DAVIS inquired:

Has the Government granted homestead entries on the south half of section seven and the whole of section six, township 46, range 20, west of the 2nd meridian? If so, in what way did the Government acquire this land?

Was this land not the property of the Indians of James Smith's reserve.

Hon. Mr. LOUGHEED—The answers to the hon. gentleman's questions are as follows:

1. All sec. 6 and S. ½-7-46-20-W. 2nd M. Area 960 acres.

2. The surrender of the above described land (situate at the southwest corner of the reserve) by the Cumberland band of Indians, to the Crown in exchange for portions of sections 7, 8, 17, 18, 19 and 20 of township 48, range 19, west of the 2nd Meridian of equal area (situate at the northeast corner of the reserve) was authorized by Order in Council of the 23rd of January, 1900, (file No. 502067).

Under the circumstances the Crown acquired the land of the Indians of James Smith's reserve, by surrender, and the department has since disposed of the same under homestead entry.

CONTRACTS FOR CARRIAGE OF TRANSATLANTIC MAILS.

MOTION

Hon. Mr. BELCOURT moved:

That an order of the Senate do issue for a copy of the contract or agreement entered into between the Government of Canada and one or more of the steamship companies plying between Canadian and European ports for the carrying of Transatlantic mails and for all correspondence, papers, reports or documents relating thereto.

The motion was agreed to.

BILLS INTRODUCED.

Bill (R-2), An Act for the relief of Elizabeth Chausse.—Hon. Mr. Talbot.

Bill (S-2), An Act for the relief of Beatrice Mae Stinson Fotheringham.—Hon. Mr. Derbyshire.

Bill (T-2), An Act for the relief of Eva Jane Bateman.—Hon. Mr. Derbyshire.

Bill (U-2), An Act for the relief of Florence Reli.—Hon. Mr. Derbyshire.

SIR LYMAN MELVIN JONES AND REBATES ON AGRICULTURAL IMPLEMENTS.

INQUIRY.

Hon. Mr. CLORAN—Before the Orders of the Day are called, I have a very innocent question to put to the leader of the Government. I do not want to burden the Orders of the Day with the question in print; I am a babe in the woods, and I do not know where the bears are. Has the Government any official intimation of the fact that a stalwart Liberal of this House, this party, and the country, has transferred his allegiance from the Liberal party to the Government ranks? Who is the goat that has gone from one side to the other? He is the member from East York, and his name is Sir Lyman Melvin Jones, president of the Massey Harris Company. Another question I would ask: Is it because the Government only granted his company last year a rebate on its agricultural implements of $161,000, and because he is trying to get more, that he has gone over to the Government? This is a very innocent question, I submit—very innocent.

Hon. Mr. DERBYSHIRE—They will let you know later.

Hon. Sir MACKENZIE BOWELL—Orders of the Day.

THIRD READINGS.

Bill (64), An Act respecting The London and Port Stanley Railway Company.—Hon. Mr. Taylor.

Bill (25), An Act respecting The Manitoba and North Western Railway Company of Canada.—Hon. Mr. Watson.

Bill (56), An Act respecting The Alberta Central Railway Company.—Hon. Mr. De Veber.

Bill (74), An Act respecting The Central Ontario Railway Company.—Hon. Mr. Derbyshire.

Bill (86), An Act to incorporate The Algonquin Railway Company.—Hon. Mr. De Veber.

Bill (88), An Act respecting The London and Lake Erie Railway and Transportation Company.—Hon. Mr. Kerr.

Bill (94), An Act respecting 'Interurban Company, Limited,' and to change its name to 'Rio Janeiro and Sao Paulo Telephone Company, Limited.'—Hon. Mr. De Veber.

Bill (95), An Act respecting The High River, Saskatchewan and Hudson Bay Railway Company.—Hon. Mr. Bostock.

Bill (82), An Act respecting The Kettle Valley Railway Company.—Hon. Mr. Bostock.

Bill (L-2), An Act for the relief of Charles Low Hutcheon.—Hon. Mr. Derbyshire.

Bill (M-2), An Act for the relief of Jessie Eleanor Grasset Parkhurst.—Hon. Mr. Derbyshire.

Bill (N-2), An Act for the relief of William Godfrey Thorp.—Hon. Mr. Talbot.

SUPPLY BILL No. 1.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons, with Bill (145), An Act for granting to His Majesty certain sums of money for the public service of the financial years ending respectively the 31st of March, 1914, and the 31st March, 1915.

The Bill was read the first time.

Hon. Mr. LOUGHEED moved the second reading of the Bill.

He said: I may say for the information of hon. gentlemen that the main Estimates for 1914-15 submitted to Parliament provide for a total expenditure of $190,735,176.42. Of this amount $159,443,518.69 is required to be voted by Parliament and $31,291,657.73 is authorized by statute. Of the $159,443,518.69, $115,494,468.69 is on account of Consolidated Fund, and $43,949,050 Capital. The whole of the statutory expenditure is on account of Consolidated Fund. For the fiscal year just passed Supplementary Estimates have been submitted by Parliament to the amount of $3,257,036.05.

At this season of the year it is very necessary that the accounts of the fiscal year just passed should be closed as early as possible; hence it is desirable that Supplementary Estimates for that year should be dealt with by Parliament at an early date. In the Supply Bill now submitted schedule (C) represents a portion of the Supplementary Estimates for 1913-14 passed by the House of Commons and chargeable to—

Consolidated fund	$1,863,247.49
Capital	28,413.56
	$1,891,661.05

The balance of the Supplementary Estimates for 1913-14 amounting to $1,365,375 has been held over for further consideration by the House of Commons.

Schedule (A) represents the different services of the Main Estimates for 1914-15, passed by the Committee of Supply and adopted by the House of Commons, chargeable to—

Consolidated fund	$24,479,412.22
Capital	4,065,500.00
	$28,544,912.22

Schedule (B) represents one-sixth of the different services of the main Estimates for 1914-15, passed and adopted by the House of Commons, chargeable to—

Consolidated fund	$15,169,176.10
Capital	6,647,258.34
	$21,816,434.44

The motion was agreed to, and the Bill passed through its final stages under a suspension of the rule.

Hon. Mr. KERR—Would the hon. gentleman let us know the total amount of this vote ?

Hon. Mr. LOUGHEED—It is a sixth of the Estimates that has been voted.

Hon. Mr. KERR—There are some special votes in addition.

Hon. Mr. LOUGHEED—No, I think not; just a sixth of $190,735,176.42. The reason I have read this statement is that hon. gentlemen will observe from the 'Hansard' exactly the amount that has been voted.

Hon. Mr. DAVIS—My hon. friend will admit that it is hardly treating the House fairly to bring down a statement of that kind, and a Bill of this nature, and ask us to vote $190,000,000 in three minutes, without having time to look into it, or even to read the statement which he has submitted.

Hon. Sir MACKENZIE BOWELL—We are following the precedents established in the past.

The motion was agreed to, and the Bill was read the third time.

THE RAILWAY BILL.

REFERRED TO COMMITTEE.

The Order of the Day being called:

Resuming the adjourned debate on the motion of the Hon. Mr. Lougheed that (Bill B-2), 'An Act to consolidate and amend the Railway Act,' be referred to a Joint Committee of both Houses and the motion in amendment thereto of the Hon. Mr. Bostock.

Hon. Mr. LOUGHEED—The hon. senior member for Halifax made this motion for the purpose of permitting myself and my hon. friend who leads the opposite side of the House to confer with a view to our agreeing, if possible, upon a motion which would be acceptable to the House. I have conferred at some length with my hon. friend and have accepted the suggestions which he has made, and with the leave of the House I propose to move that my motion be withdrawn, and I shall move another in lieu thereof.

The SPEAKER—The amendment should be withdrawn prior to the withdrawal of the main motion.

The amendment and the main motion having been withdrawn, Hon. Mr. Lougheed moved:

That Bill (B-2) entitled 'An Act to consolidate and amend the Railway Act' be referred to a special committee of the Senate, composed of Hon. Messieurs Beique, Bolduc, Bowell (Sir Mackenzie), Bostock, Gordon, Kerr, Power, Ross (Middleton), Thompson, Watson, Young and the mover, with instructions to examine the said Bill and to meet with a special committee of the House of Commons, if such a committee be appointed, take evidence, if necessary, hear parties, if necessary, and report upon the said Bill to the Senate.

Hon. Mr. DAVIS—I do not like moving amendments, but I drew my hon. friend's

attention yesterday to the fact that he had given no representation on this committee to Saskatchewan. I would suggest that he put my hon. friend Senator Douglas on that committee. We are entitled to that. It is a well-known fact that these measures after they pass a special committee and come back to this House, do not get very much attention or discussion in this House. You have practically cut out the whole of the province of Saskatchewan, so that we will have nothing to say as to the passing of this Bill.

Hon. Mr. LOUGHEED—I have no objection to enlarging this committee by two, taking one from the side opposite, and one from this side. The hon. gentleman whose name has been mentioned should be on this committee, and the Hon. Mr. Taylor.

The SPEAKER—The names of Senators Douglas and Taylor are added to the names mentioned.

Hon. Mr. CLORAN—No; I have an important statement to make to the House, a statement probably more serious than important. In assuming the attitude I have done in regard to this Bill, and particularly in regard to the motion made by the leader of the Government, and to the amendment that was proposed to that motion, I did so on my own responsibility and on my own conviction that justice was not going to be done either to the public at large or the Senate itself. I frankly told the leader of the Government when he introduced the Bill and when it got its second reading, that I was prepared to accept his declarations. At the same time I intimated to him that if, at any stage of the proceedings I found that declaration incomplete,—I shall not say misleading, not at all—then I would have a right to change my attitude. The leader of the Government, speaking on behalf of the Cabinet, informed this House and the country that all interests had been consulted; that all interests in regard to this Bill had made their representations to the officers of the Government; that after all these representations had been made, the Departments of Justice and Railways put their heads together and drafted this Bill. That declaration was a solemn one, which I accepted frankly without any hesitation and on his explanation of the Bill, of the different revisions made of the clauses in the Bill compared with the Acts passed, I said: 'That is a pretty fair proposition.' At the moment, at the first blush, I would have accepted his Bill without any further consideration. But what do I find ?—and what I have to say, I wish to have it understood, must not reflect in any way or degree on the leader of the Government in this House. I find that the declaration made by the leader of the Government in this House is incomplete; that the declaration made by him to Parliament does not bear out his contention that the measure should pass as drafted.

The SPEAKER—Will the hon. gentleman permit me a remark—with his permission, because I have no right to interrupt him while he is speaking. It is asked that the hon. gentleman will allow the remainder of the Bills to be passed before the representative of the Governor comes in; after we resume the sitting, he may continue his speech.

Hon. Mr. CLORAN—Certainly, I am in the hands of the House; I have no objection.

The SPEAKER—No, the House cannot impose that; it is simply asked of you.

Hon. Mr. CLORAN—What I have to say can wait, but the Bills that are in the House probably cannot stand waiting, so I subside.

Hon. Mr. BOYER—Before the next Order is called I should like to ask the leader of the Government for some information, why in the printing of this Railway Bill, has the usual custom been departed from? For instance, we had before us in the session of 1910-11, the Banking Act, and in italics was printed every change that was introduced into that Act. In the same session we had Bill (R), affecting Chinese Immigration, in which very useful information was given, and it contained notes minutely describing why the changes were made in the Immigration Act, as affecting Chinese Immigrants. For instance, the word 'Merchant' was fully described and a new meaning was given to it. Students coming through the country were newly described by a special note; then the different servants accompanying the Consuls were minutely described, as were all changes or amendments to the existing Immigration Act. Later on we had the Insurance Act—

The SPEAKER—I would call the attention of the hon. gentleman to the fact that there is a kind of compact made with the hon. member for Victoria Division to allow the Orders of the Day to go through.

Hon. Mr. BOYER—I have just one word more.

The SPEAKER—But it is not a question of a word more, or two, it is a question of convenience and of fair play. The hon. gentleman from Victoria Division consented to waive his right to keep the floor so that the other Bills should go through before the representative of the Governor came in, but he did not waive his right in order to give the floor to another member.

Hon. Mr. BOYER—Well, I can remember an occasion when the hon. senator from Lauzon did not waive any of his rights, and kept the Governor at the door.

The SPEAKER—That is not the question now.

Hon. Mr. CLORAN—I might say that after the Orders of the Day are discharged, and before I resume my remarks my friend Senator Boyer can have the floor.

Hon. Mr. DERBYSHIRE—All right; that will make it good.

SECOND READINGS.

Bill (O-2), An Act for the relief of Bertha Hetu.—Hon. Mr. Talbot.

Bill (22), An Act respecting Brazilian Traction, Light and Power Company, Limited.—Hon. Mr. Talbot.

Bill (10), An Act respecting Barcelona Traction Light and Power Company, Limited.—Hon. Mr. Ross (Moosejaw).

Bill (23), An Act respecting the British America Nickel Corporation, Limited.—Hon. Mr. Taylor.

Bill (27), An Act respecting The South Ontario Pacific Railway Company.—Hon. Mr. Bostock.

Bill (79), An Act to incorporate the Bruce Peninsula Railway Company.—Hon. Mr. Taylor.

Bill (87), An Act to incorporate The Erie and Ontario Railway Company.—Hon. Mr. Taylor.

Bill (91), An Act respecting The Northern Territorial Railway Company.—Hon. Mr. Watson.

The Senate adjourned during pleasure.

BILLS ASSENTED TO.

An Act respecting the National Transcontinental Railway.

An Act respecting the Grand Trunk Pacific Railway Company.

An Act respecting the West Ontario Pacific Railway Company.

An Act respecting the Tilsonburg, Lake Erie and Pacific Railway Company.

An Act respecting the Ottawa, Northern and Western Railway Company.

An Act respecting the Lachine, Jacques Cartier and Maisonneuve Railway Company.

An Act respecting the Grand Trunk Railway Company of Canada.

An Act to incorporate the Central Western Canada Railway Company.

An Act respecting the Canadian Pacific Railway Company.

An Act to incorporate Pacific, Peace River and Athabasca Railway Company.

An Act respecting the Dominion Atlantic Railway Company.

An Act respecting the Joliette and Lake Manuan Colonization Railway Company.

An Act respecting the Ottawa and Ungava Railway Company.

An Act respecting the Thessalon and Northern Railway Company.

An Act respecting the Esquimalt and Nanaimo Railway Company.

An Act respecting the Central Railway Company of Canada.

An Act respecting the Quinze and Blanche River Railway Company.

An Act respecting the Lake Erie and Northern Railway Company.

An Act respecting the Canadian Railway Accident Insurance Company, and to change its name to 'The Globe Indemnity Company of Canada.'

An Act respecting the Vancouver Life Insurance Company of Vancouver, B.C., and to change its name to 'The Vancouver Life Insurance Company.'

An Act respecting the Burrard Inlet Tunnel and Bridge Company.

An Act respecting the Acadia Loan Corporation, and to change its name to 'The Mortgage Corporation of Nova Scotia.'

An Act to incorporate the Bank of Alberta.

An Act respecting the Sterling Trusts Corporation.

An Act to amend an Act relating to the establishment and expenses of the International Joint Commission under the Waterways Treaty of January 11. 1909.

An Act respecting Queen's University at Kingston.

An Act respecting the McClary Manufacturing Company.

An Act respecting British Trust Company.

An Act to incorporate the Norfolk and Elgin Railway Company.

An Act respecting the Calgary and Fernie Railway Company.

An Act respecting the Canadian Northern Railway Company.

An Act to amend the Weights and Measures Act.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending respectively the 31st March, 1914, and the 31st March, 1915.

After some time the House resumed.

THE RAILWAY BILL.

MOTION.

The Order of the Day being called, the debate on the Railway Bill was resumed.

Hon. Mr. CLORAN—I should like the hon. Speaker to state what motion is before the House.

The SPEAKER—The motion before the House reads as follows:

Moved by Hon. Mr. Lougheed, seconded by Hon. Sir Mackenzie Bowell, that Bill (B-2) entitled 'An Act to consolidate and amend the Railway Act' be referred to a special committee of the Senate, composed of Hon. Messieurs Béique, Bolduc, Bowell (Sir Mackenzie), Bostock, Gordon, Kerr, Power, Ross (Middleton), Thompson, Watson, Young and the mover, with instructions to examine the said Bill and to meet with a special committee of the House of Commons, if such a committee be appointed, take evidence if necessary, hear parties if necessary, and report upon the said Bill to the Senate.

Hon. Mr. CLORAN—That simplifies the matter very much. The motion is to refer the Bill to a special committee composed of twelve members.

Hon. Mr. WATSON—Fourteen members. Two have been added.

Hon. Mr. CLORAN—They have not been added officially. I do not know whether it is surprise or amusement which is uppermost in my mind at the present moment, but it is amusing to me that the hon. leader of the Government should send this Bill to a committee of fourteen; and it is also surprising. Who are the fourteen members? Do they represent the intelligence of the 86 senators in this House? Can they voice the feelings and ideas of the remaining senators? The constitution provides that a Bill of this importance and character shall go to a committee of the whole House. It is surprising that the leader of the Government should abandon his original request to have this Bill sent to a larger committee, composed of 12 or 14 members of the Senate, and of a number of members of the House of Commons, anywhere from 14 to 40, three times the number they would be entitled to proportionately. Why did the hon. leader abandon his attitude in that regard. He was most solemn and sincere, as far as the Government itself would allow him to be sincere, in recommending that this Bill be considered by a joint committee of the Senate and the House of Commons, that committee to have power to examine witnesses and revise and amend the Bill in all its aspects. That was the proposition he laid before the Senate and the country three days ago. Why this change of attitude? Why is abandonment of the Government's demand that its Bill be so dealt with and not otherwise? And now we find that the Bill can be dealt with otherwise. The leader of the Government was not alone in making a false step. On our side of the House an amendment was moved which did not meet with our approval. The result has been a stand still for the past three days in regard to one of the most important measures introduced in this Parliament. Any student of Parliamentary history, and especially under the British regime, will fail to find a parallel for the present situation. We were but a few, four or five, who objected to the methods proposed by the Government in regard to this Bill, and at the same time opposed to the methods of the Opposition; and with what result? The result was that neither the Government nor the Opposition knew where they stood. As was well expressed by the hon. member for Grandville (Hon. Mr. Choquette) yesterday, both trains were stalled. We knew where we stood; knew what the people wanted. We are still on the same ground. Neither the Government nor the Opposition have continued to occupy their ground; they have shifted. The proposition of the Government to-day is to refer the matter to a special committee. As far as I am concerned I have no objection personally to any member of that committee. They are fully intelligent to discuss this Bill, and to weigh its provisions, but that is not the point in question. I am going to admit later on that a committee is necessary, but what we want is men on that committee who are in sympathy with the vast interests of this country, and not with the smaller interests. We do not want that committee composed of men who are there in the interests of corporations as against the interest of the people; let that be well understood. As I said yesterday, I have no objection to any man being interestd in corporations; that is his business, that is how he makes his living, or his fortune. Here in Parliament, however, the people must have their voice heard; there must be those who will put before the Parliament their wants, and defend their rights and interests. To my mind, representatives of the labouring classes were not on the original committee. It is true that at the last moment, a few minutes ago, on the express demand of the senator from Prince Albert, the leader of the Government accepted two new names, —Senators Douglas and Taylor. Senator Douglas is a representative of the interest of the people; Senator Taylor is also, but is also closely allied with interests otherwise. So you have a committee now to hear evidence in regard to this Bill which will be directed solely by gentlemen in close sympathy and alliance with the corporate interests of the country, as against

those of the people, and without a representative of the labouring interests, probably the most——

Hon. Sir MACKENZIE BOWELL—Vicious.

Hon. Mr. CLORAN—If they were vicious you would be dead long ago—representatives of the locomotive engineers that carry you safely every day of your life; representatives of the firemen, and the brakemen, and the telegraphers who guard your life every day you travel from Belleville to Ottawa—these are the men that are not represented on the committee, but on whose devotion to duty you owe your life every day you travel. Those men have informed me that their desires, their wants, their needs, have been put aside and neglected in the drafting of this Bill. Does the hon. senator from Belleville understand that—that those locomotive engineers, firemen, brakemen, and telegraphers and other employees on the railways have not been heard in regard to this Bill? At least if they were heard, their representations and prayers were set at naught by the departments. They ask this and this alone, that the hours of labour should not be made more than fourteen hours out of the twenty-four. Now, is that an extravagant demand? That is all they ask for; but their demand, their request, their prayer, is ignored, and to satisfy the railway corporations the matter is to be left to the control of the Railway Commission. These men do not want that. All they ask from Parliament is that their hours of labour shall not be made, more than fourteen hours a day, compulsory. They are prepared to submit to that. Will any sane man in the Senate say that they are extravagant in their demands? Our lives depend upon the devotion to duty of the engineers, brakemen, firemen, etc., and those men have been refused their request in that regard. This evidence came to me since yesterday, and I notified the hon. leader of the Government, when he made his declaration regarding the Bill, that if I found at any stage in the proceedings that his statement was incomplete I would then demand a re-opening of the inquiry, a re-opening the investigation of the condition of things, so far as that class is concerned. I am not prepared to speak for the other classes because I have not heard from them, but I say on my responsibility as a senator, and as a representative of the people, that the rights and the interests of one of the largest class of labour in Canada have been ignored. I make that strong statement on the authority of the representative of 40,000, 50,000 or 100,000 employees who compose no simple organization of labour, such as brickmakers, shoemakers, or any other labour organization, but upon the organization of railway employees, upon whose work depend the lives of the people of this Dominion. We should have the courage to protect their interests; the representative who discussed the matter with me affirmed the fact that men on great railway systems in this country have been obliged to work thirty-five hours on a stretch. Just imagine a locomotive engineer on a train running his engine for thirty-five hours, or a fireman or brakesman or telegrapher in his office for thirty-five hours at a stretch—and that no later than last February, a month ago. God knows, these people are not asking much. Their interests are ours, and we should come to their relief. If I knew an engineer on the locomotive of the train by which I was travelling had been working continuously for thirty-five hours, I would rather step off at any old station—

Hon. Mr. WATSON—And walk.

Hon. Mr. CLORAN—Yes, and walk. This is what is happening in this civilized country of Canada. Now why the railroad men demand that this be made a matter of statute instead of yielding to the recommendation of the board is this, that when it goes to the board, a complaint must be made, and God help the employee who makes the complaint. Under the circumstances, in view of the new facts that have to come to light, an inquiry should be made. The leader of the Government, under stress, has suggested his committee. I have this to say, in the history of Parliament and making of laws it is said that a motion of this kind should be made under the circumstances. It is awfully sad. The Senate is depleted—there is scarcely a quorum in the House, yet the Senate is asked, under these circumstances, to appoint a committee which will have power to make or unmake the happiness of many homes. We know that in committees of this kind the strongest legal talent in the Dominion, or outside of it, is employed to put forward the demands of the corporate interests. The poor man, the labour organization, the municipality will be handicapped. It is true they will be told, but you

have a right to come here. Yes, they have a right to come here. If they were wealthy, rolling in the millions accorded to corporations by the Dominion of Canada, they could well afford to come here. These people are poor; they have to live on their own resources. The corporate interests live on the fat of the land and on the subsidies granted to them out of the public treasury. Just the same, our manufacturers of agricultural implements though living on the fat of the land, and out of rebates, are not satisfied; they turn. As I understand the motion which has been read, it simply says that a committee composed of so-and-so shall consider the Bill, but I want to know before I vote what does that word 'consider' mean? Does it mean that they will have a right to take evidence and simply report the evidence? Would that be the case? Then I care not whether it is Tom or Tim, Jim or Jack, that is on that committee, because one can take the evidence as well as 15, and then the evidence will come to this House, and we shall dissect the evidence, we shall sift it, we shall weigh it. If that is the object of the committee, the leader of the Government can have his committee as far as I am concerned; but if, the object of his motion is to appoint a committee to take evidence, to revise the Bill, to amend the Bill in all its aspects, to put in new provisions, and so on, and then report to the House with the remark, 'It would not be fair, it would not be reasonable, to reject the conclusions and the recommendations of that committee?' then I want to tell the hon. leader of the Government that he is entirely mistaken as to the obligations of members of this Senate. We are not going, fairly or unfairly, reasonably or unreasonably, to accept the conclusions, decisions, or recommendations of any such committee. If the leader of the Senate accepts that position, then I shall accept his committee, although such in effect, is going over the work twice. If the decisions and recommendations of his committee are not to be final, are not to be binding, if a Committee of the Whole has a right to dissect, and put aside, and introduce new elements in the Bill, then the committee is absolutely of no use, because all the work could be done at once by a Committee of the Whole. Under the circumstances, having no explanations from the Government as to what they want, I fail to see what I can do. I am prepared to have the committee consider the Bill and take new evidence and to report that evidence to this House.

Hon. Mr. KERR—Before the motion is adopted I would suggest to the hon. gentleman that there should be an amendment of phraseology so as to make clear exactly what is intended, and what I would suggest would be to change the latter part of the clause so as to read:—

'If such a committee be appointed, take evidence if necessary, hear parties interested, and that the said special committee of the Senate report upon the said Bill to the Senate.'

Hon. Mr. LOUGHEED—I have no objection to that change, and it may be regarded as of the original motion.

The SPEAKER—The motion, then, will read as follows:—

That Bill (B-2) entitled 'An Act to consolidate and amend the Railway Act' be referred to a special committee of the Senate, composed of Hon. Messieurs Beique, Bolduc, Bowell (Sir Mackenzie), Bostock, Douglas, Gordon, Kerr, Power, Ross (Middleton), Taylor, Thompson, Watson, Young and the mover, with instructions to examine the said Bill, meet with a special committee of the House of Commons if such a committee be appointed, take evidence if necessary, hear parties interested, and that the said special committee of the Senate report upon the Bill to the Senate.

The motion was agreed to.

Hon. Mr. LOUGHEED—I beg to move, seconded by the Hon. Sir Mackenzie Bowell:

That a message be sent to the House of Commons requesting the House to appoint a special committee to meet with the special committee of the Senate in considering Senate Bill (B-2) entitled 'An Act to consolidate and amend the Railway Act, to take evidence if necessary, hear parties interested, and report to their respective Houses; and informing that House that the Hon. Messieurs Beique, Bolduc, Bowell (Sir Mackenzie), Bostock, Douglas, Gordon, Kerr, Power, Ross (Middleton), Taylor, Thompson, Watson, Young and the mover will act as members of the Senate Committee, should the House of Commons agree to appoint a committee from that House.

Hon. Mr. BOSTOCK—Will it be necessary to change that motion, in order to make it comply with the other motion?

Hon. Mr. LOUGHEED—No, because it says each committee is to report to its respective House.

Hon. Mr. BOSTOCK—The suggestion was whether it would not be better to make it read—

And that each such committee shall report to the House appointing it.

Hon. Mr. LOUGHEED—'To its respective House' means the same thing

Hon. Mr. KERR—These words might mislead the Commons as to what our resolution was. The motion reads, 'To take evidence if necessary, hear parties if necessary, and report to its respective House.' I suggest that it should read as follows:

And that each such special committee shall report to the House appointing it.

Hon. Mr. LOUGHEED—I accept that.

Hon. Mr. MURPHY—Is it not presumptuous on our part to direct the House of Commons committee as to what they are going to do? We can give our committee instructions, but I do not think we can direct the Commons committee in any way.

Hon. Mr. LOUGHEED—If they do not accept it, it will be duly communicated by messenger to this House.

Hon. Mr. WATSON—I have a good deal of sympathy with what has been said by the hon. leader. I do not know whether we should request them to appoint a committee. I think we should notify them that we are prepared to take evidence, and that we are prepared to meet a committee of their House. The hearing of the evidence is for the accommodation of people who want to be heard.

Hon. Mr. POIRIER—Would it make any difference if the instructions about reporting to the respective Houses were omitted? The committees are not obliged to report in all events, and I do not see the necessity of inserting that instruction in the motion. It is surplusage, to say the least, and if it is not dictating, it is directing in matters over which we have no authority.

Hon. Mr. CLORAN—We are asking the House of Commons to take action on a matter which is not before them, and a point of order may be raised in the House of Commons on this. No committee can be formed unless there is something before the House. That is the constitutional principle, and hon. gentlemen will find that I am right.

The motion was agreed to.

Hon. Mr. WATSON—The hon. gentleman from Rigaud (Hon. Mr. Boyer), who has left the Chamber, wished to bring before the House the question of the printing, and in his absence I call attention to it. There are no distinguishing marks as to the changes in the Act, or the new portion. It would facilitate the work of the committee very much if we had a reprint of that Bill. It would not be much trouble to the gentleman who prepared the Bill to mark in italics all the new matter in the Bill, and to insert notes such as were given by the House of Lords the other day as to the changes in the Bill and the reason of the changes. I venture to say it would cut the work of that committee in half, and it would be very desirable that the Bill should be reprinted for the use of the committee. The expense would not be very much.

Hon. Mr. KERR—If that suggestion were adopted, it would certainly save members a lot of trouble. Someone might be instructed to interline the changes in red.

Hon. Mr. LOUGHEED—I shall direct the attention of the department responsible for the Bill to this matter. There is no doubt the statements made by hon. gentlemen in this respect are not without reason. The difficulty is owing to the lack of uniformity in our system in the preparation of Bills. Unfortunately each department apparently is a law to itself as to how it shall prepare Bills for the consideration of Parliament. I think it is unfortunate that this Bill does not contain the explanatory notes which my hon. friend has mentioned. However, I very much doubt whether the difficulty can be overcome at the present time, because the reprinting of such a Bill would necessarily occupy a great deal of time. I shall suggest, however, that the officers in charge of it prepare some explanatory statement of its clauses, which will facilitate the consideration of the measure.

Hon. Mr. WATSON—Try to get it printed.

The Senate adjourned until Wednesday, April 15, at 3 o'clock.

THE SENATE.

Wednesday, April 15, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

REVIVAL OF GEOGRAPHIC SOCIETY OF QUEBEC.

Hon. Mr. CHOQUETTE inquired of the Government:

Has the Geographic Society of Quebec, founded in 1877, applied to the Government to revive, in its favour, the previous subsidy granted to it in 1882 and subsequent years?

What answer has been given to such an application or what answer is proposed to be given?

Hon. Mr. LOUGHEED—The answers to the hon. gentleman's questions are as follows:

1. No.
2. Answered by No. 1.

THIRD READING.

Bill (O-2), An Act for the relief of Bertha Hétu.—Hon. Mr. Talbot.

SECOND READINGS.

Bill (P-2), An Act for the relief of Frederick Joseph Campbell.—Hon. Mr. Pope.

Bill (R-2), An Act for the relief of Elizabeth Chausse.—Hon. Mr. Talbot.

Bill (S-2), An Act for the relief of Beatrice Mae Stinson Fotheringham.—Hon. Mr. Derbyshire.

Bill (T-2), An Act for the relief of Eva Jane Bateman.—Hon. Mr. Derbyshire.

Bill (U-2), An Act for the relief of Florence Relf.—Hon. Mr. Derbyshire.

IMPORTATION OF THOROUGHBRED STOCK.

MEETINGS OF COMMITTEE.

Hon. Mr. DANIEL—Will the hon. member from Saskatchewan, who obtained a committee to consider the regulations regarding the importation of thoroughbred stallions and mares, inform the House whether his committee has met and whether it has taken any evidence.

Hon. Mr. DOUGLAS—We have had two meetings, and some work has been done, but it seems that the chairman is backward in calling the committee. We are prepared to go on at any time.

Hon. Mr. DANIEL—I saw a gentleman who lives in this city who expected to be called as an expert by that committee, and he has been prepared for a long time to give evidence, but he has not been asked to do so. It appears that if the committee is not going to do anything they had better say so and be discharged.

The SPEAKER.

Hon. Mr. DOUGLAS—The committee has received its instructions from this House, and I do not see why the chairman of the committee does not call a meeting. I am prepared and have been prepared to go on with the work at any moment.

Hon. Mr. DANIEL—I thought you were the chairman.

Hon. Mr. DOUGLAS—No, I am not chairman.

Hon. Mr. BEIQUE—I have acted as chairman of the committee; with the suggestion of members of the committee I have been gathering all the data, and I believe I have all the facts. The committee has had two sittings, and has been intending to call Mr. C. S. Campbell who, apparently made the complaints, and after hearing Mr. Campbell, the committee intends to hear other parties interested. Mr. Campbell was in the south, and was to return on the fifth of this month. at the time that the House adjourned. I expected that the committee would be called together this week, but the further adjournment will delay the next meeting until next week, when I expect Mr. Campbell will be heard, as well as other persons. In the meantime I have instructed the secretary to write a number of importers of animals asking their appreciation for criticism for the present regulation in order that we may have as much information as possible when the committee meets again. I know that the secretary has done so. I do not think that any time was wasted; I think all action was taken that was necessary.

Hon. Mr. DERBYSHIRE—Nothing lost.

Hon. Mr. DOUGLAS—I think that everything possible has been done.

BILLS INTRODUCED.

Bill (89), An Act respecting the University of Saskatchewan, and to change its name to the University of Emmanuel College.

Bill (128), An Act to amend an Act to incorporate the Vancouver Harbour Commissioners.—Hon. Mr. Lougheed.

Bill (71), An Act to consolidate and amend the Acts respecting Fisheries and Fishing.—Hon. Mr. Lougheed.

The Senate adjourned until Tuesday the 21st instant at eight p.m.

THE SENATE.

Tuesday, April 21, 1914.

The SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

REBATES TO AGRICULTURAL IMPLEMENT MANUFACTURERS.

INQUIRY.

Hon. Mr. McSWEENEY inquired:

The total amount paid to the agricultural implement manufacturers on account of drawback on export goods for the year 1913?

2. The names and amounts of each company?

Hon. Mr. LOUGHEED—The hon. gentleman who placed this notice of inquiry on the Order Paper is not present, but I shall give the answers now. They are as follows:

1. The total amount paid to manufacturers of agricultural implements on account of drawback on goods exported for the fiscal year 1912-13 was $186,832.05.

2. The names and amounts are as follows:

Name.	Amount.
Bailey Underwood Co..	$ 42 85
Cockshutt Plough Co..	22,394 74
Peter Hamilton Co..	14 51
International Harvester Co. ..	11,419 38
Massey-Harris Co..	131,649 82
Oliver Plough Works	3,346 71
Verity Plough Co..	14,441 25
The Noxon Co..	3,522 79
Total..	$186,832 05

FORTHCOMIING LEGISLATION.

INQUIRY.

Hon. Mr. BOSTOCK—Is the hon. leader of the Government in a position to inform the House as to what legislation we may hope to have brought before us by the Government in the near future? We have been here for some time, and so far we have not had very much legislation brought down to this House by the Government. There have been rumours and a good deal of discussion in the press with regard to a considerable amount of legislation which has yet to come before us; as to the nature of that legislation we have, so far, not been given much information. Hon. gentlemen realize, of course, that my hon. friends on this side of the House have placed me in a very responsible position, and I have not had the experience which my predecessors in this position have had in public life. I am, therefore, very anxious that hon. gentlemen on this side of the House should have all the information it is possible to obtain with regard to the legislation which is to be presented to us. I regret to say that on former occasions not only this Government but former Governments have seen fit to leave a large amount of important legislation to be brought down in the very last hours of the session. I do not think it is in the interest of the country that we, as an important branch of Parliament, should be called upon to deal with important legislation when we are not in a position really to give it the consideration it deserves. I do not want to appear to be dealing with this matter in any contentious way, but I suggest to the hon. leader of the Government that we should have the very fullest information, and plenty of time to consider the legislation to be submitted to us, in order that we may give it the attention it deserves at the hands of this Chamber.

Hon. Mr. LOUGHEED—I need scarcely say that my hon. friend should not feel it necessary to apologize for his want of experience in fulfilling the duties of the office which he fills, inasmuch as he has already given evidence of being a parliamentarian of experience and resource. My hon. friend has fallen in very rapidly into making the annual inquiry which has come to be known as a 'hardy annual' not only in this Chamber but in the other Chamber, as to what the programme of the Government business is to be. My hon. friend is perfectly right in making that inquiry. When I had the honour of occupying the same position which my hon. friend does, or at least occupying the desk which he does, it was one of the articles of my political faith that annually I should ask the leader of the Government what the business before us would be, and at the same time would criticise the Government for not bringing down its important business earlier. I might say an explanation has been made annually, since I have been a member of this Chamber, why the Government of the day had not been able to bring down its legislation at an earlier moment than is usually done. I can say with a good deal of truth that this Chamber has the faculty of disposing of Government business with such rapidity that the volume of business put through does not seem large, and yet, when we compare the length of time taken by the Commons in transacting the same business, which we do in much less time, we scarcely get that credit to which we are entitled, for the amount of business we really do. I need not make

any explanation either, as to the difficulty of introducing, at an earlier period of the session, the more important questions that from time to time come up during a session. It is the most natural thing in the world for people having important questions, to leave those questions until the eleventh hour, when there usually is very much more hope of their being less analysed and less criticised, than at an earlier period in the session. Consequently we find that the public having business to do with Parliament invariably postpone important business of the character to which I allude, until the eleventh hour, or dying hours of the session.

Hon. Mr. CLORAN—Is that a wise and proper procedure?

Hon. Mr. LOUGHEED—I do not approve of this at all, and if my hon. friends on the opposite side of the House know of any remedy by which this could be obviated, I should most heartily join in co-operating with them in compelling that class of business to be introduced at an earlier hour of the session. Now I can say to my hon. friend that so far as Government measures are concerned there are some two or three measures which we shall have to consider before the end of the session. The Government has been employed most industriously in endeavouring to expedite the progress of those measures but, up to the present time, without that success which they would hope to meet. We have already dealt with several important Bills. I hope we shall have before us next week, through the procedure which we adopted last week, the consideration of the Railway Bill, which I need not say is one of the most important measures that have been brought down to Parliament since Confederation. It is most comprehensive, and includes within its four corners, probably, the most important interests we have in Canada. I hope to have before us very shortly a consolidation of the Shipping Acts; it is at the present time before the House of Commons; whether it will reach us in time to give proper consideration to it, I really cannot say. We have upon our Order Paper a consolidation of the Fisheries Act. That Bill will be before us tomorrow for second reading, and will probably reach its committee stage towards the end of this week. I cannot, just at the moment, say what legislation will be before us other than that which hon. gentlemen will have seen outlined in the public press. I can assure my hon. friend and hon. gentlemen opposite that none of them are more anxious than I to see important legislation brought into this Chamber, whether it originates here or in the House of Commons. And my own inclination would be to secure for this Chamber all the legislation we possibly can. I am satisfied that when such legislation will be brought down, whether early or late, it will receive the best consideration possible at the hands of the House.

Hon. Mr. CLORAN—The hon. gentleman says there is important legislation foreshadowed in the press. Is there anything in that statement? Does he mean that the legislation regarding the Canadian Northern and Mackenzie and Mann's deal with the Government, will be brought down? That is foreshadowed in the press. Then the Redistribution Bill is foreshadowed in the press, and there is another measure foreshadowed not only in the press but in the Speech from the Throne—increased senatorial representation. There are several measures in the control of the Government which are not here, apart from those foreshadowed in the press, but the one which tickles the imagination of the public is whether Mackenzie and Mann are going to get what the press foreshadows.

WHITE PHOSPHOROUS MATCH BILL.

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of Bill (103), An Act to prohibit the manufacture and importation of matches made with white phosphorus.

He said: My hon. friend opposite (Hon. Mr. Boyer) has given notice of an amendment to the Bill. I shall be pleased to accept the amendment which he proposes, providing he makes the prohibition against manufacturing take effect on the 1st July, 1915, leaving the Bill as it is in the matter of prohibition of sales, January 1, 1916. My hon. friend will thus see that it would practically give a year to prohibit the manufacture—that is to say, it would be illegal to manufacture after the 1st of July, 1915, thus giving six months after that period to permit of the disposal of all such products, so that the total prohibition would come into force on the 1st January, 1916.

Hon. Mr. BOYER—I understood from the promoters of the amendment that all the companies had agreed that they would stop manufacturing on the 1st January, 1915, provided that they were given two years to sell the matches. They wanted to increase

the time of disposing of their products, and to shorten the time for manufacturing.

Hon. Mr. LOUGHEED—Do I understand my right hon. friend to say that it was to be extended for two years?

Hon. Mr. BOYER—They were willing to shorten the time for manufacturing by one year provided they were given another extra year for getting rid of their products.

Hon. Mr. LOUGHEED—That would fix the manufacturing date the first of January, 1915. I have not been informed that all the manufacturers have agreed to that.

Hon. Mr. DANIEL—During the adjournment I took the opportunity of going to the Eddy factory to look through it, and inquire as to how this legislation would affect the manufacturers, and the public, and the information I obtained from Mr. Rowley, the secretary treasurer, was to the effect that they were willing to stop the manufacture on the 1st of January, 1915, provided another year was given to enable them to get rid of the product; and that would be in accordance with the amendment of which my hon. friend (Hon. Mr. Boyer) has given notice.

Hon. Mr. LOUGHEED—In view of that statement, I accept the amendment.

Hon. Mr. BOYER—I move :

That the said Bill be not now read a third time, but that it be amended as follows:

Page 3, line 25, for 'sixteen' substitute 'fifteen' and that the following words be added thereto:

'except as to clause 5 of the said Bill, which shall not come into force until the first day of January, 1916.'

The amendment was adopted.

The Bill was then read the third time as amended, and passed.

THIRD READINGS.

Bill (P-2), An Act for the relief of Frederick Joseph Campbell.—Hon. Mr. Pope.

Bill (S-2), An Act for the relief of Beatrice Mae Stinson Fotheringham.—Hon. Mr. Derbyshire.

Bill (T-2), An Act for the relief of Eva Jane Bateman.—Hon. Mr. Derbyshire.

Bill (U-2), An Act for the relief of Florence Relf.—Hon. Mr. Derbyshire.

FIRST AND SECOND READINGS.

Bill (V-2), An act to incorporate the Cornwall and Hawkesbury Railway Company of Canada.—Hon. Mr. Derbyshire.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

Wednesday, April 22, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (W-2), An Act respecting the Toronto Terminals Railway.—Hon. Mr. Watson.

Bill (X-2), An Act respecting the Grand Council of the Catholic Mutual Benefit Association of Canada.—Hon. Mr. Coffey.

ADMINISTRATION OF JUSTICE IN MANITOBA.

Hon. Mr. DAVIS—Before the Orders of the Day are called I would like to call the attention of the hon. leader of the Government of this House to an article that appears in The Pas Herald, published in The Pas, Manitoba, and I would like to ask the Government what they propose to do about it. This Pas Herald is not a partisan paper by any means; I understand it gives its support to the Government of the day, and thus its statements will probably have all the more effect in Parliament. This editorial is headed 'Another Victim,' and says:

There is a dungeon in Venice over the doorway of which is found this inscription:

Abandon all hope ye who enter in.

British justice revolts at such an idea and rightly so. We believe that every one is innocent until proven guilty, and that the accused should be given every opportunity to defend himself. In the police court last week Oscar Schueller asked for counsel and witnesses; this was refused, Inspector French very kindly telling him he should have done so before. Lying in a locked steel cage, with no idea what charge was against him seems to be no detriment to any one securing his proper defense. Schueller unfortunately has been made the mark of police attention more particularly since he had the audacity to appeal against the decision of a $200 fine for giving a drink to a companion. That the liquor fines should go to the police is against all ideas of British justice. The privates scoop up the information, the sergeants lay the charge and prosecute. The inspector either sits on the case or gives advice to his boon companion now out of office.

He alludes, I suppose, to another gentleman out there.

It would be interesting to search the records of the Attorney-General's Department to ascertain the amount received by the various members of the force from local fines.

The traffic in liquor here is illegal and those who break the law deserve punishment, but the accused should be accorded a fair and impartial trial, and given every opportunity to make defense. The stunts pulled off at the barracks during the past year are a disgrace to British rule, and the town would be much better off if everything was thrown open, and the Royal Northwest Mounted Police put back into Saskatchewan and Alberta where they belong. Manitoba can do without them very nicely.

Since the white-washing process which took place under the name of an investigation, the people have little confidence in the mounted police here. That any person should be allowed to administer justice after what was clearly proven before Major Wood is beyond our comprehension, and for unadulterated nerve, hats off to the heroes of the play, for they come back stronger than ever and think their political pull is stronger than any public sentiment. Only last week the inspector refused to make out a warrant when requested by a prominent citizen. The reason was that his friend Johnathan might be inconvenienced thereby. Will the police explain also why some people in our town can carry on any rowdyism they like and be escorted to safety, while others are thrown into iron cages on the least provocation? If the Royal Northwest Mounted Police wish to hold the respect of the community a general clean-up is in order, and the force put in charge of some one whose career does not need the process of the white-wash brush.

I should like to know if my hon. friend's attention has been called to that article. As a matter of fact to my knowledge this thing has been going on for a year. There is a general rumour, which is backed up by this editorial, that men working on the Hudson Bay road after five or six months, when they are known to have accumulated five hundred dollars or so, are set on by an organized bunch of people, pulled and fined, and not allowed to get witnesses, counsel, or anything else; and the men responsible for this are waxing fat over it. It is pretty nearly time that the Government should take some action. The idea of the Mounted Police being prosecutors, the officer being the judge, and at the same time the whole lot of them being beneficiaries, is an outrage which should not be tolerated in any part of the British Empire; and I should like if the Government would take some action in this matter and say if they know anything about it.

Hon. Mr. LOUGHEED—The Government has no information, to my knowledge, on the subject. If my hon. friend desires information, there are proper channels through which information may come if he will make the usual inquiry on notice.

Hon. Mr. WATSON—You gave notice to day, did you not?

Hon. Mr. DAVIS.

Hon. Mr. LOUGHEED—If my hon. friend will make whatever inquiry he thinks fitting, I shall be very glad to obtain whatever information is possible.

Hon. Mr. DAVIS—I have asked for a return; but in the meantime a paper published in the place makes such charges in an editorial that it is up to the Government to investigate and find out what should be done. That is what they should do anyway. It is not for me to ask for papers and everything else. There is an open charge made by a respectable newspaper, and one that leans to the party in power; in the face of such a serious charge it is the duty of the Government to take some action to investigate it.

Hon. Mr. LOUGHEED—My hon. friend knows very well that it would be impossible for the Government to give serious attention to every charge made in every newspaper throughout the length and breadth of Canada. The Royal Northwest Mounted Police have a reputation so good throughout the whole of Canada, that constitutes the best refutation that can be given of a charge of the kind to which my hon. friend has read from the press. I suppose no police body ever has enjoyed a better reputation than the Royal Northwest Mounted Police. The force has been in existence for forty years, and I venture to say that no organized police body has ever enjoyed a more enviable reputation in the maintenance of law and order and in promoting the administration of justice. If my hon. friend finds that there is any foundation for these rumours, as a public man it is his duty to set in motion an inquiry as to matters of this kind. I shall be very glad to facilitate the obtaining of information in every way possible.

Hon. Mr. DANDURAND—Could the hon. leader explain to this Chamber how it is that, since the boundaries of Manitoba have been extended northward, taking in the Le Pas, justice is still administered by the Royal Northwest Mounted Police, and not by the regular officers appointed by Manitoba, under the control of the Attorney General?

Hon. Mr. LOUGHEED—Yes, the Royal Northwest Mounted Police have been acting in their capacity as police in Manitoba, Saskatchewan, Alberta, the unorganized territory and in the Yukon territory for years. As to whether the acts alleged have happened along the line of the Hudson Bay road—which possibly may come

under the Public Works Act—I can not say. My hon. friend has not intimated where those acts have happened.

Hon. Mr. DAVIS—It is on a public work.

Hon. Mr. LOUGHEED—Then the police can readily be set in motion by a department of the Government, or the Police Commission on Public Works.

Hon. Mr. DAVIS—I quite agree with what the hon. gentleman says about the Royal Northwest Mounted Police as a general body, but I do not think a body like that should be allowed to be besmirched by one individual. If there is one individual doing this sort of thing he should receive his deserts and not be whitewashed, as mentioned in that paper.

Hon. Mr. CLORAN—The practice in England in regard to these matters is one more calculated to do justice than the practice propounded by the leader of the Government here to-day. When a member in the British House of Commons calls the attention of the Prime Minister or the acting Prime Minister on the floor of the House to any outrage against justice, the Prime Minister does not turn around and say, 'you go and get a policeman and find out the facts and bring him here.' The matter is immediately brought to the attention of the Home Secretary, who puts all the machinery of justice in working order. When a private member calls attention to such a state of things as depicted here, it is up to the Government to take action, and the Government of the day should call upon whatever department has jurisdiction of the matter, and have it attended to. In this case it would probably be the Justice Department. That is one of the English practices we should follow, rather than some of the other English practices we follow at present.

THIRD READING.

Bill (R-2), An Act for the relief of Elizabeth Chausse.—Hon. Mr. Talbot.

CRIMINAL CODE AMENDMENT BILL.

WITHDRAWN.

Hon. Mr. CHOQUETTE moved that the House resolve itself into a Committee of the Whole on Bill (D), An Act to amend the Criminal Code.

Hon. Mr. LOUGHEED—May I ask my hon. friend if it is his intention to proceed to a final stage with this Bill? The House has already assented to the principle of the Bill, and at its last reading my hon. friend conceded the fact that the contention was well founded that greater attention would have to be given to the working out of the details of the measure, in order to make it more effective than it can be in its present form. I would suggest to my hon. friend that he should not proceed with the Bill at present, but should give consideration to the suggestions which have been made, so that the Bill can be made more effective in carrying out what he has in view; and possibly next session my hon. friend may be able to produce a Bill that will appeal to the approval of the House.

Hon. Mr. BEIQUE—The hon. gentleman who has introduced this Bill has attained his object, which must have been to draw the attention of the Government, and especially of the Department of Justice, to the matter, and also to show that public opinion favoured the principle of the measure. Therefore the suggestion which has been made by the leader of the Government is one which should be adopted. Moreover, it pertains to the Department of Justice to take the initiative in matters of this kind. Therefore an opportunity should be given to the Department of Justice to introduce a measure to deal with this matter. If nothing is done by the department, then the hon. gentleman or any other member of the Senate may present a Bill to cover the point.

Hon. Mr. BOSTOCK—In view of what has been said by the hon. leader of the Government and my hon. friend from De Salaberry (Hon. Mr. Beique), I would ask the hon. gentleman in charge of this Bill to accede to the request which has been made of him. He has succeeded in placing before this House and the country his views on the matter, and bringing them to the attention of the Government. No doubt the Government is now impressed with the desirability of taking some action next session in regard to the matter.

Hon. Mr. CLORAN—I do not agree with the hon. gentleman from De Salaberry, when he says that in dealing with such matters as this the Department of Justice and the Government should take the initiative. All precedents of the British Empire are against that. Most of the great reforms have been started by the efforts of private individuals;

these have lead to such legislation as the Plimsoll Act, by which the lives of hundreds of thousands of seamen have been saved in the last forty or fifty years. Nearly all reforms are due to private initiation, and I contend that any private member has a right, irrespective of the Department of Justice or any other department of the Government, to introduce legislation affecting the welfare of this country, whether it be its material, its moral, its intellectual or its social welfare. It would be very unwise for this House to endorse the statement that private members should not undertake to advance legislation of this kind.

Hon. Mr. CHOQUETTE—On this question, as on all others, I am open to conviction; I am always ready to take advice, especially from men of experience. I am satisfied with the progress that has been made in this matter. The principle of the Bill has been adopted by this House, and the principle has been adopted throughout the country by a larger majority than was secured in the Senate. In view of the differences of opinion in this House, I might not succeed in having the Bill passed, but I have succeeded, as the hon. leader of the Government has stated, in bringing the question before the public. I am very anxious that the Bill should become law, but I do not wish to impose my views on the House. I prefer to leave the responsibility to the House and to the Government. Between now and next session the public will have an opportunity to discuss the principle of the Bill, and I am, therefore, prepared to accept the suggestion which has been made by the leaders on both sides, and by the hon. member from De Salaberry (Hon. Mr. Beique); I wish to give the Department of Justice an opportunity to deal with the matter next session. I quite admit, so far as this country is concerned, that although we have proper machinery to enforce the law, on the other hand we would have difficulty in preventing foreign papers from coming into the country, though they may contain the pictures of criminals; we would have difficulty in preventing such papers from circulating throughout the Dominion. Under all the circumstances, though I feel very strongly on this question, though I am in earnest in my desire to pass the Bill, in view of what has been said, I am willing to concede the point and withdraw this Bill until next session, under the conviction that between now and next session the Department of Justice will see its way clear to take charge of the Bill and put it on the statutes. Therefore, under the circumstances, I move that the order be discharged.

The SPEAKER—With the permission of this House, the motion made is withdrawn, and permission is given to the hon. member to withdraw his Bill.

CONTINGENT ACCOUNTS OF THE SENATE.

MOTION.

Hon. Mr. THOMPSON moved concurrence in

The second report of the Standing Committee on the Internal Economy and Contingent Accounts of the Senate.

He said: The report of the Committee on Internal Economy and Contingent Accounts was presented to the House on April 3 and has been before the members of the Senate, who, I presume, are all familiar with its contents. It is my duty as chairman of this committee to present the findings of the committee. The committee is composed of twenty-five representative gentlemen of this Senate, whose desire and object is to conserve the best interests of the Senate in all domestic affairs. The committee at this time, in addition to making a report on the financial statement, have thought it advisable to make certain recommendations in the reorganization of the official staff of the Senate and assign certain work to the different officials. Your committee think they understand the work to be done by the staff quite as fully as the Senate, if not better, as it properly comes to your Committee on Internal Economy and Accounts to deal with, and make recommendations thereon. The members of our committee are members of all the standing committees; that is all the members are on different committees and understand the nature of the work that we are expected to get from the staff in respect of legislation and other important matters. I may say that the recommendation that is now brought to the attention of the Senate, has the unanimous approval—I think I can say that—of the Committee on Internal Economy and Contingent Accounts. We have with us on that committee the leader of the House, who is familiar with the contents of this report, and who I may say now, was identified with these recommendations to as large an extent as any member of our committee. While there may be in one section—that in respect of Mr.

Hinds—a recommendation which involves a change in the division in which he at present is, I may say that I brought this matter to the attention of the Auditor General, to know whether it was quite within the right and the constitutional practice of this Senate in dealing with a question of this kind, to present it to the House in this form. The Auditor General said without any hesitation that any adoption by resolution of the Senate in respect of any matters appertaining to the domestic affairs of the Senate, would be recognized by him as authoritative. Therefore, in moving this resolution now I think it will present itself to your mind, so far as the matters contained in it are concerned, as being a very wise recommendation, and I anticipate that it will meet no opposition.

Hon. Mr. POWER seconded the motion.

The SPEAKER—This House, I feel convinced, will admit, with me, that it is not permissible for any branch of Parliament to ignore laws enacted by Parliament itself, still less to violate them.

Or, the Parliament of Canada, in 1908, placed on the statute book, legislation which decides, with undeniable and supreme authority, one of the questions which is to-day pronounced upon by the Committee of Internal Economy and Contingent Accounts of the Senate.

This legislation, chap. 15, 7-8 Edward VII, in dealing with the organization of departments, and with subsequent alterations which may be made thereto, assigns, —formally and without any possible error, —to the minister in charge of a department, and to the Speaker of the Senate,—in so far as the Senate is concerned,—the work of organization and reorganization of the staff under his control.

'The head of each department,' says section 8 of the above cited Act, 'shall cause the organization of his department to be determined and defined by Order in Council.'

This organization, once it is determined on the initiative of the head of a department, and confirmed by Order in Council, remains intangible, until another Order in Council, obtained in the same manner, brings into operation, in this first organization, the alterations necessitated by the exigencies of the service. This is what is enacted by the statute, in the 3rd paragraph, of said section 8, when it adds:

After being so determined and defined, the organisation of a department, shall not be changed, except by Order in Council.

It must be borne in mind that it is the head of the department who, alone, in the eyes of the law, has the power to put the machinery in motion: 'The head of each department shall cause the organization of his department to be determined and defined by Order in Council.'

And besides, all appointments,—those provided for in sections 21, 22 and 23 of the Civil Service Act, 1908, as well as promotions permissible under section 24,—are made on the report of the deputy head of each department, concurred in by the head thereof and approved by Order in Council.

That is the real economy of the Civil Service Act.

Needless to add that the Act, in this connection, assimilates the Speakers of both Houses—(section 2, subsection c.) to the heads of departments, and the decisions of both Houses, to Orders in Council (section 45.)

Notwithstanding the enactments of a statute, adopted by this House on its own behalf, the Committee of Internal Economy takes upon itself to ignore the prerogatives of the Speaker of the Senate who, in this instance, has all the powers of the head of a department.

To the recommendation of the Speaker, the recommendation of the committee is substituted, and the committee, contrary to law, usurps the right to organize the staff of this House, and to suggest to the latter the promotions to be made. What becomes then,—and I mention but this last case,—of the section in the statute which enacts:

24. Promotions, other than from the third to the second division, shall be made for merit by the Governor in Council (i.e the Senate) upon the recommendation of the head of the department (i.e. the Speaker) based upon the report in writing of the deputy head.

As long as the present law shall determine the organization and reorganization of the staff of the Senate, as well as the promotion of certain employees—as long as it has not been amended in the sense desired by the committee—I shall uphold the prerogative granted to me by statute, of recommending myself, at the exclusion of anybody else, the proposed appointment or promotion, and any suggestion in that line, if it is lacking this necessary condition of the presidential recommendation, cannot, after all, but be declared illegal.

Or, anything illegal cannot be in order.

I therefore declare out of order all that part of the report of the Committee of Contingent Accounts which relates to the

organization of the staff and the promotion of certain of its employees.

My decision can be appealed from and reversed.

What then?

A conflict will have been created, a regrettable conflict, more regrettable for the Senate than for myself; for, having no intention whatever of disarming, when I am perfectly sure of being in accord with the law, I shall continue to invoke the law—as well as the manner of interpreting it, by the persons themselves who have the charge of enforcing it, and from whom the following letters will show what should or should not be done under the circumstances.

In answer to questions put to him in a letter dated December 6, 1912, the text of which can be found in the Journals of the Senate of the 23rd January, 1913, the following is what the Deputy Minister of Justice said, respecting my contention that the appointment of certain employees of the Senate should be preceded by the recommendation of the Speaker:

This would appear to be the prescribed method of appointment, having regard to sections 2, 3 (sub. sec. 2,) 22 and 45, of the Civil Service Amendment Act, 1908. The recommendation of the Speaker appears to be a condition to the making of any such appointment.

(Sgd) E. L. Newcombe,
Deputy Minister of Justice.

The Auditor General is not less explicit, and if I cite his opinion, it is not so much to show that it is in accordance with my own, than to establish that, if the Senate wishes to place itself above the law, the intervention of the Auditor General may be exercised in a manner disastrous to the employes which the Senate may have appointed, ignoring the provisions of the statute.

The Auditor General states in fact, what his duty would be under such circumstances:

In answer to the third paragraph of your letter, I beg to state that I do not see how the Clerk of the House, the Chairman or Secretary of any committee or even the Senate, could proceed to make an appointment without having their action preceded by your recommendation, based upon the report in writing of the Clerk of the Senate.

With reference to the last paragraph, I cannot conceive such a thing as the Senate ignoring the law which they assisted in enacting, but should such a thing occur, it would be the duty of the Clerk to decline to issue a cheque for the payment of the salary, and the duty of the Auditor General to refuse to allow such payment to be made.

(Sgd) J. Fraser,
Auditor General.

The SPEAKER.

This House, in accepting the Civil Service Amendment Act, 1908, and in contributing to make it the law of the land, has deliberately consented to the abandonment and sacrifice of the privileges of the past, and it does not possess any longer—either for its committee or for itself—the right of substituting its recommendation to that of the Speaker, nor the right of making any appointment which has not been previously ecommended by the Speaker.

Should it go beyond that, it commits an llegal act, and clashes into the impassable barrier set up by the Auditor General.

I certainly cannot become an accomlice to such an infraction, and, considerng it is my imperative duty to ensure to he law its undeniable supremacy over any ule, resolution or report of the Senate or f its committee, I declare out of order hat part of the report of the Committee of Internal Economy and Contingent Acounts of the Senate relating to the organization of the staff of this House and to he promotion of its employees.

Hon. Mr. THOMPSON—I regret exceedingly that in the exercise of the authority of the Internal Economy Committee we should always find that it is about as difficult—

The SPEAKER—I shall ask the hon. gentleman—

Hon. Mr. THOMPSON—Oh, I propose to appeal from the Speaker's decision.

The SPEAKER—Then the hon. member can appeal without any discussion; that is the law. The hon. gentleman has a right to appeal, which I cannot deny him, but he had no right to discuss a decision which I have rendered.

Hon. Mr. THOMPSON—Then I bow to the decision of the Chair, and I move, seconded by the Hon. Mr. Power, that the Speaker's decision be not concurred in.

Hon. Mr. CHOQUETTE—I suppose I may be allowed one word.

The SPEAKER—No.

Hon. Mr. CHOQUETTE—It is not fair to ask us to vote on this question without having an opportunity to look into it and have the decision printed. I do not know that I could vote either way just now. This is an important point, and I should like to read the statement by His Honour the Speaker; I hope that with the consent of the House it will be printed, and that the mat-

ter be adjourned until to-morrow. Some respect should be shown for the members of this House, and the members should have been informed that the point was going to be raised. The decision read by the Speaker quoted documents and letters from the Minister of Justice and Solicitor General and so forth. How can we vote yes or no at the present time? I know it is unusual to postpone such a matter till to-morrow, but we can create the precedent.

Hon. Mr. BEIQUE—I feel very much as the hon. gentleman who has just spoken. I would have expected that the point of order would have been raised by somebody, in order that the question might have been discussed before the ruling was made from the Chair. It takes me a little by surprise; I have a strong impression from hearing the ruling read as to what is the proper course, but I do not feel quite at liberty at present to cast a vote. However, since the Speaker gave his ruling before the point was discussed I do not see any other course but the one suggested. The appeal to the House has to be made.

Hon. Mr. DANDURAND—May I be allowed to make a suggestion?

The SPEAKER—All this is done by permission of the House.

Hon. Mr. DANDURAND—With the consent of the House I should like to suggest that His Honour the Speaker, by consent of the House, might postpone the reading of his opinion to a later date in order that we may not be drawn fatally into a vote on a question which has just been sprung upon the House, and which is of considerable moment. He might adjourn it until a later date to give us an opportunity to decide the matter after mature consideration.

Hon. Sir MACKENZIE BOWELL—If that suggestion be accepted, then the decision as read by the Speaker should appear in the proceedings so that every one would be able to read it carefully. My own impression is that there is a great deal of force in the view expressed by the hon. member from Grandville (Hon. Mr. Choquette) that the House should not be called upon to give a decision without being able to study the reasons advanced by the Speaker for his decision.

Hon. Mr. POWER—There is an objection to the course proposed by the hon member from DeLorimier (Hon. Mr. Dandurand). His principal reason for suggesting adjournment is that the members of this House may have an opportunity to peruse and consider the paper which has just been read by the Speaker. If the reading of that decision is to be postponed until to-morrow, the decision will not appear in our minutes and we shall not have an opportunity to read it. The better way is perhaps, by consent, to let the matter stand over, after the reading of His Honour's decision. We can do that by unanimous consent—let it stand over until to-morrow and make it the first order after the third readings.

Hon. Mr. CHOQUETTE—There can be no discussion of the ruling of the Speaker, but there is no objection to discussing a motion. I therefore move that the vote on this appeal be taken to-morrow, and that in the meantime the documents be printed in the Minutes of Proceedings. There is nothing to prevent that.

Hon. Mr. THOMPSON—With the consent of the House, I should like to have it understood that we are to have an opportunity, when this comes up again, to make such remarks as we please on the subject; because the Speaker thought proper to stop me this afternoon.

Hon. Mr. KERR—I would suggest, with the concurrence of His Honour the Speaker, that this might be dealt with by a motion that the consideration of the report of His Honour the Speaker be deferred until to-morrow. I make a motion to that effect.

Hon. Mr. YOUNG—There is one phase of this matter to which I wish to direct attention. The decision read by His Honour the Speaker just now, is a paper dealing with a question of law, not of order; if you will search the authorities you will find that there is a distinction between a Speaker's opinion on a point of law, and a ruling on a point of order.

The SPEAKER—The hon. gentleman will find also in such authorities, that he has no right to discuss the decision of the Speaker; That is what he is doing now.

Hon. Mr. YOUNG—I wish to point out the position we will occupy if the matter is

deferred until to-morrow. We can defer an opinion on a point of law quite readily, and can discuss it to-morrow. I am heartily in accord with the motion to let the matter stand over until to-morrow.

Hon. Mr. LOUGHEED—I hope the good judgment of the House will support the postponement of this question until to-morrow. If I may be permitted to make an explanation, it seems unfortunate that there should be this misunderstanding, or friction, between His Honour the Speaker and the House. Now there is not a very great divergence of opinion upon this report between His Honour and the Internal Economy Committee. I used my best efforts for the purpose of bringing about mutual action in this matter, but apparently without avail. I did not think that this question would reach the acute stage which it has done to-day—and I quite recognize that it is only with the permission of the House that I can make this statement; that His Honour the Speaker would have accepted the recommendations which have been submitted here to-day had the recommendation of His Honour as to the appointment of an accountant been coupled with the report which my hon. friend the Chairman of the Internal Economy Committee has submitted. I think I am free to say that His Honour would have accepted the entire report, but there seems to be a division in the committee as to who the accountant shall be. Now it seems to me but reasonable to suppose that if the Speaker is prepared to make certain concessions, the Internal Economy Committee, or the sub-committee, should not hold out for its pound of flesh. It is only by a process of giving and taking, of compromise or concession, that a Chamber of this kind, made up of divergent elements, not only political but otherwise, can possibly maintain its decorum and dignity. It is by agreeing in a commonsense way upon a recognition of rights by the various parties within the Chamber. We cannot ignore the fact that the Speaker of the House has certain rights, and the dignity of that position certainly should be recognized to the extent of this Chamber recognizing those rights. They are not only rights which have been long associated with the office of Speaker; they are not only privileges which surround and invest a Speaker; but they are crystallized into statutory law, and we cannot ignore an Act of Parliament. But while we may relate back to the practice which obtained in this House previous to the passing of the Civil Service Act, we must concede, even though it be distasteful to us, that there is a changed condition of affairs, that we are to do our business, recognizing the wisdom of mutuality and the rights which belong to all; we should be prepared to make some little concession for the purpose of maintaining the dignity of this Chamber. I would suggest that we should not continue this unfortunate condition of affairs, of countenancing friction between the presiding officer of this Chamber and the Chamber itself, and that we should see if the better sense and judgment of this House cannot settle this difference of opinion. The matter seems to have reached a very acute stage to-day, and for this there is no good ground. I venture to suggest that my hon. friend should permit his motion to stand until to-morrow or some subsequent day.

Hon. Mr. THOMPSON—I am perfectly willing; I am quite agreeable to consent to the appeal standing until to-morrow before the question of voting. I assume that the suggestions made by the hon. leader of the House along the lines of compromising is not the way that public business should be done. I do not think this is a matter that invites the Senate to consider it as a question for compromise, as between the committee and the House. We either have or have not the right as a Senate to discharge the functions of our office, and the question of compromising those rights to reach a decision as to the application of the Act does not strike me as being a wise one. I am entirely agreeable, however, that the vote on the appeal, the expression of the House on the question of appeal that I made as against the ruling of the Speaker, shall stand until to-morrow.

Hon. Mr. BEIQUE—I may be allowed to make this other suggestion. My impression—and I may say my very strong impression—is that there is a great deal in what has been stated from the Chair. Although I did not know the report, before it was read to-day, it looked to me the moment I heard it read that the matter mentioned in the report should be referred to the President of the Senate for his report on the matter, and I had intended to make a motion to that effect.

Hon. Sir MACKENZIE BOWELL—Hear, hear.

Hon. Mr. BEIQUE—Then when his report came, the dignity and rights of the

Chairman would be saved, and then the matter would be properly before this hon. House. This would settle the difficulty if His Honour was willing, with the unanimous consent of the House, to withdraw his ruling for the time being, in order that a motion of that kind might be made. His Honour would then have the opportunity of making his recommendation on all the matters mentioned in the report of the Internal Economy Committee, and then the House would be at liberty to deal with the matter as if it had originated from the Chair itself. Of course, the initiative belongs to the Chair—that is understood. But if the Chair were unwilling to take the initiative, it would be open to the House to ask the Speaker for a report on such a question, and then the House would be seized with the question and would be at liberty to deal entirely with it.

Hon. Mr. DANDURAND—And suppose it had been requested to take action upon the report of the Clerk, and the Speaker refused to do so, what next?

Hon. Mr. BEIQUE—Then I suppose the House would be entirely at liberty to deal with the matter as it saw fit. The House would not be bound to adopt the recommendation of the Speaker. The House would be at liberty to substitute other names for the names he might recommend. It is only the initiative which rests with the Speaker. The intention of the law is that opportunity should be given to His Honour the Speaker to make his recommendation before the House passes upon a question of that kind.

Hon. Mr. CHOQUETTE—As the matter now stands it is not a question of compromise, and there can be no question of compromise, as the matter is before the House. The House has been asked to accept a report from the committee. His Honour the Speaker has ruled it out of order. There is an appeal from that decision. We have no right to discuss the decision. We have to vote for it, or against it, and we cannot do that intelligently without having an opportunity to look at the decision.

Hon. Mr. DANDURAND—We are all agreed upon that.

Hon. Mr. CHOQUETTE—Then the only thing to do is to accept the motion as made, and I move that the vote on this appeal be taken to-morrow, and that in the meantime the decision of the Speaker be printed in the Votes and Proceedings, in order that hon. members may inform themselves upon it. In the meantime, if His Honour the Speaker, the leader of the Government, the leader of the Opposition and the Chairman of the Committee can come to some decision and effect a compromise, we might accept that.

Hon. Mr. DANDURAND—Since the question has been discussed in the fair spirited way in which it has been put by the hon. leader of the House, I should like to add a few words on the same lines. Would it not have been better had this discussion taken place with closed doors, as it is practically a domestic matter of the Senate? We find that the Civil Service Act was passed to deal with the departments of the country. At the last moment the House of Commons and the Senate were asked to come under it, and the Speaker of the Senate was made the head of the department, and the Clerk a deputy minister, in order to bring those two bodies, having a service to fill, and having employees and officers to appoint, to fall under the Act. Under the Act the deputy minister brings to the notice of his chief the fact that there is a vacancy in the department, or a promotion to be made. The minister makes the report to Council, of which he is a member, and the Council acts upon it. The error which exists and which brings friction, is that the head of our department fails to harmonize his views with that of the Council, which is the Senate. As a matter of fact, a minister may bring a report to Council, but if that report is rejected, what else is he to do? To accept an amendment to his report or to bring another report? He has not, surely, the power to sulk and to refuse to administer his department, and let it be disorganized for months and years—I am taking an extreme case—because Council would not ratify his choice? If he did so there would be a remedy in the Council, because the leader of the Council, the Prime Minister, could ask him to leave. The Council in our case is the Senate. The Senate should certainly have the last say, and the desire of the Senate, however constituted to-day or to-morrow, should prevail in a matter which concerns its own economy. His Honour the Speaker should not stick to the letter of the law, which

seems to give him the same powers and initiative as the head of the department, but he should remember that he has to bring his reports to the Senate, and he should try and harmonize his views with those of the Senate on all questions. For that purpose I feel that there should be, with His Honour the Speaker, and with the leaders of this House and the Chairman of the Internal Economy Committee, conferences over matters concerning our administration, so that there should be no friction. I adhere to the view, and most strongly, of the hon. leader of the House, that these matters should be settled beforehand by the powers that be, the leaders on both sides, before they are brought to this House.

Hon. Mr. KERR—My motion is that consideration of the statement of His Honour the Speaker should be postponed until to-morrow.

Hon. Mr. POWER—The only thing to be postponed is the vote on the appeal from the Speaker's decision. We have nothing to do with the report of the committee, and nothing directly to do with the Speaker's decision. The question before the House is the appeal taken by my hon. friend on my left, and on that he has expressed, at the suggestion of various hon. gentlemen, his entire willingness that the vote shall be postponed unutil to-morrow, after the motion now is that the vote on the appeal be postponed until to-morrow, after the third reading.

Hon. Mr. CHOQUETTE—Then I make that motion.

The SPEAKER—It is moved by Hon. Mr. Choquette, seconded by Hon. Mr. Watson, that the vote to be taken on the decision given by the Speaker, be postponed until to-morrow, and be the first order after the third readings. Is that the motion the hon. gentleman wants to make?

Hon. Mr. CHOQUETTE—Yes.

Hon. Mr. KERR—If that motion is agreed to, there will be no room left for a discussion of the decision.

The SPEAKER—There is no discussion on the appeal.

The motion was agreed to.

Hon. Mr. DANDURAND.

VANCOUVER HARBOUR COMMISSIONERS ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (128), an Act to Amend an Act to incorporate the Vancouver Harbour Commissioners.

Hon. Mr. BOSTOCK—I should like to have an explanation of this Bill.

Hon. Mr. LOUGHEED—It is proposed to amend the Act which we passed last session incorporating the Vancouver Harbour Commissioners. Experience in the meantime has indicated the desirability of making a change, and re-vesting in the Crown the administration of the harbour lands. The Act of last session made provision to vest the lands of the harbour in the Harbour Commission, to be disposed of under twenty-one year leases. It has been found unsatisfactory to absolutely confine the lands to the tenure of leases, and it has been pointed out that it is in the interest of the harbour that certain lands should be sold instead of leased, with a view to making more permanent improvements on them than would be made on leased lands. It is therefore proposed that instead of the commissioners dealing with those lands, the Crown shall deal with them, and determine how the lands shall be disposed of.

Hon. Mr. THOMPSON—Are the lands the property of the Crown?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BOSTOCK—Are there any particular cases in connection with this matter that have led to this legislation, or is it only dealing with a general principle? Before the Act of last session, these lands were dealt with by the Governor in Council on the recommendation of the Minister of Marine and Fisheries. Up to that time, certain lands were sold, and in certain cases leases were granted. There may be some good reason for making this change, but I do not think that what we have heard to-day has given us any very definite or clear understanding of the situation. I suppose this legislation does not in any way conflict with the provincial laws, but only deals with the lands around Vancouver harbour, and would not in any way conflict with the laws of British Columbia.

Hon. Mr. LOUGHEED—Not in the slightest, because the lands of the harbour are

owned by the Crown. Under the legislation of last session it was proposed that we should permit the harbour commission to administer those lands by way of lease, but experience establishes the fact that it is in the interest of the harbour to sell certain lands instead of leasing them. It is obvious that it would be unwise to give the harbour commission authority as against the Crown to sell those lands and deal with them in their discretion, not that it would indicate want of confidence, but the Crown itself should act as the vendor of its own lands. It will be obvious also that more permanent improvements may be carried out on the harbour by selling lands in order that bonds and securities of that character may be issued for the purpose of making permanent improvements.

Hon. Mr. BELCOURT—Are we to understand that it is the opinion of the hon. gentleman that under the Act as it now exists the commissioners could dispose of those lands?

Hon. Mr. LOUGHEED—As I understand it, under the existing Act the commissioners are not authorized to sell the lands. Their authority to deal with the lands is limited to leasing, up to twenty-one years. It is proposed to revest the lands in the Crown, so that the Crown may either sell, or lease, or make other disposition of them.

Hon. Mr. BELCOURT—I do not understand the necessity of the Bill. If the Act now in force had merely the effect of vesting the lands in the commissioners for administrative purposes and leasing them, why is it necessary to legislate to allow the Crown to convey land?

Hon. Mr. LOUGHEED—Because all the lands were vested in the commissioners.

Hon. Mr. BELCOURT—For certain purposes.

Hon. Mr. LOUGHEED—Certainly for a limited disposition of them, namely, leasing them for a period not exceeding twenty-one years. If any other disposition is to be made, it is desirable to revest the lands in the Crown and repeal the power which the commissioners had to make leases of that character.

Hon. Mr. BELCOURT—I cannot understand that the Act of last session took away the right of the Crown to convey lands in fee. Why they should be revested in the Crown I cannot understand.

Hon. Mr. LOUGHEED—I have not the Act of last session before me now, but tomorrow we can look into it.

The motion was agreed to, and the Bill was read the second time.

FISHERIES ACT AMENDMENT AND CONSOLIDATION BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (71), An Act to consolidate and amend the Acts respecting Fisheries and Fishing.

He said: This is a consolidation of the Fisheries Act. It contains no drastic changes or amendments, although it contains many amendments dealing with details of administration and changes of that character. The Act has not been revised since 1867, and the chief object in view is to have a revision of the Act in a convenient form, and an amendment of the old law which experience has indicated could be better carried out by placing the Act in the shape we now propose to place it.

Hon. Mr. BELCOURT—Does the Act extend to anything but tidal waters. Is it intended to cover inland streams as well?

Hon. Mr. LOUGHEED—So far as the authority of the Dominion is concerned it does. For instance, a question arises as to the passing of regulations in inland and non-tidal waters. A decision of the Privy Council has established the proprietory rights of the provinces in fish in non-tidal waters, and the inland waters of the provinces; but, peculiarly, the right to make regulations is yet vested in the Dominion Government, that is, to make regulations with reference to the fish, which is the property of the province. Consequently this Bill will have to deal with all those phases of the subject.

Hon. Mr. BELCOURT—My reason for asking that question is because on looking at section 44, which deals with a matter in which I have displayed some interest, I find it is limited to tidal waters. I do not see the philosophy of this because it seems to me that the subject matter of that section is one that should be applied to non-tidal waters, that is, to inland streams, as well.

Hon. Mr. POWER—If my hon. friend will look at clauses 74, 75, 76 and 77 of the Bill he will find that it applies to inland waters as well.

Hon. Mr. BELCOURT—There is all the more reason then, for the observation which I want my hon. friend to consider. In dealing with the matter of pollution in section 44, the prohibition is limited to 'Any tidal estuary, or within two hundred yards of the mouth of any salmon river,' and so on. Now, if the purpose of the Bill is to cover inland streams I would like my hon. friend to consider whether it would not be wise to change the wording of section 44 so as to make it applicable, in that instance—which to my mind is one of the very serious objections of the Act—to inland streams as well as to tidal waters. This is limited to tidal waters or to salmon rivers, nearly all of which are tidal waters. To my mind it is one of the important objects of this Bill, and if it is intended that the Bill should have a general application to all waters, whether tidal or inland, under the control of this Government, that provision in section 44, it seems to me, should be made applicable to all of them.

Hon. Mr. DANDURAND—Would the hon. gentleman indicate the articles which are new or modified? Has he a memorandum given him which would allow him to run through the Bill and give us the modifications that are made to the old Act?

Hon. Mr. LOUGHEED—No, I regret to say that I have not, but there are no really drastic changes from the existing Act in this Bill.

Hon. Mr. POWER—With reference to the difficulty raised by the hon. gentleman from Ottawa, I wish to call his attention to the wording of clause 44, which states without any qualification:

44. No one shall throw overboard ballast, coal ashes, stones, or other prejudicial or deleterious substances in any river, harbour or roadstead or any water where fishing is carried on,—

That applies to a river as well as to tidal water.

Hon. Mr. BELCOURT—Will my hon. friend go on—'or throw overboard,' etc.

Hon. Mr. POWER—That is another offence—

—or throw overboard or let fall upon any fishing bank or ground, or leave or deposit or cause to be thrown, left or deposited, upon the shore, beach or bank of any water or upon the beach between high and low water mark, inside of any tidal estuary,—

Tidal estuary covers only a very small portion of it. It continues:

—or within two hundred yards of the mouth of any salmon river, remains or offal of fish, or of marine animals, or leave decayed or decaying fish in any net or other fishing apparatus; provided that such remains or offal may be buried ashore, above high water mark, and that at establishments situated inside the mouths of rivers for carrying on deep-sea fisheries, the same may be dropped into perforated boxes or inclosures built upon the beach, or under stage-heads, in such manner as to prevent the same from being floated or drifted into the stream, or may be disposed of in such manner as any fishery officer prescribes. R.S., s. 53.

Sub-clause 2 reads as follows:—

2. No person shall cause or knowingly permit to pass into, or put or knowingly permit to be put, lime, chemical substances or drugs, poisonous matter, dead or decaying fish, or remnants thereof, mill rubbish or sawdust or any other deleterious substances, in any water frequented by fish. R.S., s. 52.

Hon. Mr. BELCOURT—I am thankful to my hon. friend. My first impression was a wrong one. The provision is much wider than I thought.

Hon. Mr. BEIQUE—I think whenever a Bill of this nature is presented, consolidating an Act, that it would be much better if the department would furnish a list of the clauses which it is intended to change. It would facilitate the examination of the Bill.

Hon. Mr. LOUGHEED—I quite agree with what my hon. friend says. It is extremely difficult to have the department adopt a uniform system in printing their Bills, in order to point out the changes which are made to existing law.

Hon. Mr. BEIQUE—The point I made would be covered if the department were to furnish a short summary saying that such and such sections are modified in such and such respects, in a general way.

Hon. Mr. LOUGHEED—I suggest that we take the committee stage to-morrow, and if there should be any paucity of information, it can stand until I furnish the Senate with the fullest information on the subject.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

Thursday, April 23, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

ADMINISTRATION OF JUSTICE IN MANITOBA.

MOTION.

Hon. Mr. DAVIS moved:

That an order of the Senate do issue for a return of all papers, evidence, reports, letters and other documents, in connection with and relating in any way to the investigation held on Sergeant Grenan of the Royal Northwest Mounted Police at Le Pas, Manitoba, in 1913, by Superintendent Rutledge, and Assistant Commissioner Wood, of the Royal Northwest Mounted Police.

The motion was agreed to.

VACANCIES IN THE SENATE STAFF.

Hon. Mr. CLORAN—Before the Orders of the Day are called I should like to direct the attention of the hon. leader of the House to a strange condition of things which prevails in the Senate. Two of our most important officers passed away some months ago. The Senate has been in session since the middle of January last, yet these two important offices still remain vacant. I do not think it is any tribute to the dead that these offices should remain vacant. If they can be dispensed with for four months, they can be dispensed with for six months, or a year, or done away with altogether. Somebody has been derelict in his duty in regard to the domestic economy of this House. I am not prepared at the present moment to place the responsibility for this on any shoulders. Where does the fault lie? The position of Assistant Clerk of the Senate has been vacant through the death of probably one of the best, most conscientious and painstaking servants that Canada has ever had. Then in another branch of the Senate's affairs we have lost an accountant who was relied on as gold, and his position is still vacant. Who is responsible for this state of affairs? I undertake to put this question to the Government now because, when the time comes to discuss it, we will have no right to speak on the appeal according to the decision of the Speaker yesterday. I want to know the facts before I am called on to vote. I admit, according to the reading of the law given to us yesterday, in a most masterly way I must say, the Speaker has a right to recommend the officials to be appointed. Admitting that, what follows?

The SPEAKER—Will the hon. gentleman allow me a moment. I think it is not in accordance with the rules of the House to permit dicussion at a time when there is nothing before the Chair; but if the House allows it, I am willing to take the advice of hon. gentlemen on that subject.

Hon. Mr. CLORAN—I am calling the attention of the Government to a condition of things that should not exist, that I should like to have remedied, and I am within my rights. Any member of the British Parliament has a right to take the Government to task on any question. What are they doing to-day against Asquith on the Home Rule question? Any member on the floor of the House has a right to demand an explanation on any public question; yet here in this small Parliament of Canada we are supposed not to have the same rights. Of course if the hon. Speaker rules me out of order, I shall subside, but I do not think he has any right or power to rule me out of order when I ask for explanations from the Government in regard to a public matter. I am asking why these two important positions in this House have not been filled, and when I was interrupted I was saying that under the ruling of the Speaker yesterday, he has a right to recommend anybody to fill either of these vacant positions. Does that end the matter? He places his recommendation in the hands of the clerk and the Senate takes action on it. Suppose the man he recommends is rejected, what happens? Who is going to fill the position? Has the Senate power to substitute any other name? The law says that His Honour the Speaker has a right to make recommendations, but the law does not give him or anybody else power to say that his recommendation shall be adopted. The supreme power is in the hands of the Senate to amend or reject the recommendation of the Speaker, just the same as the Governor in Council has power to reject or amend the recommendation of a deputy minister; the Governor in Council may throw aside the recommendation of the deputy minister, and appoint another man. Now, there is the position. Have we been given to understand that that will be the case here? I say no. The Speaker has the right to make the recommendation, but the supreme body has the privilege and the right to reject that recommendation and to substitute any other name that will suit the Senate. I am not the slave of anybody, and if the name recommended by the Speaker is not agreeable to me, it is my duty to vote against it, and to substitute some other name. Before proceeding I wish to know from the hon. leader of the Senate, has the recommendation of the Speaker in regard

to these two vacancies, the assistant clerk of the Senate and the accountant, been placed before this hon. body?

Hon. Mr. KIRCHHOFFER—No.

Hon. Mr. POIRIER—Yes.

Hon. Mr. CLORAN—The leader of the Government said no.

Hon. Sir MACKENZIE BOWELL—No.

Hon. Mr. KIRCHHOFFER—The leader of the Government never said a word.

The SPEAKER—I think it is time that the rules of this House should be observed. The hon. gentleman has no right at all to speak. If he wants to speak he must put a motion before the Chair, and there is nothing before the Chair.

Hon. Mr. CLORAN—I beg to differ with the Speaker. I bow to the Chair, but I say I am within my rights in calling the attention of the Government to a condition of things, which requires no motion.

The SPEAKER—I shall call attention of hon. gentlemen to the fact that the hon. member is not in order. He cannot put himself in order simply by saying that he is in order, and I declare he is out of order altogether.

PROTECTION OF CANADIANS IN MEXICO.

Hon. Mr. POIRIER—I may also be out of order, but I crave permission of the hon. House to put a question of momentous importance to the leader of the Government. We are all aware that our neighbours to the south are at war at the present time with the Mexican republic. We are also unfortunately aware that many of our Canadian citizens are in Mexico to-day, and that their lives and property are threatened. We are interested to see that every Canadian citizen, just as of yore, every civis Romanus, be protected, whatever distance away he may be from the country. The same question was put by Mr. Cockshutt in the House of Commons, and the answer was given by Premier Borden yesterday that the Canadian Government will take steps to insure the safety of lives and property of Canadians in Mexico. How is that to be done? We cannot surely appeal to the mother country,—

Hon. Mr. WATSON—Send Sam Hughes.

Hon. Mr. POIRIER—and ask her to send ships there to protect our compatriots.

Hon. Mr. CLORAN.

Hon. Mr. CLORAN—What right has the hon. gentleman to talk about this question. He is away down in Mexico and I was right here at home. I want the decision of the Chair.

The SPEAKER—The hon. gentleman has a perfect right to raise the point of order, but the hon. gentleman, when he rose, asked the permission of the House to make an inquiry of the Government, and he was permitted.

Hon. Mr. CLORAN—The hon. member can talk about Mexico, but I cannot talk about home.

Hon. Mr. POIRIER—It would come with bad grace for us to ask the mother country to send some of her squadrons there. I do not, at all, suppose that such was the purport of the reply given by the Premier of Canada. That not being the case, I should like to know, in this case of emergency, if this Government has sent to the Caribbean sea, or proposes to send, the nucleus of our Canadian Navy, the Niobe and the Rainbow; also which of the two ships is going to blockade Vera Cruz, and which will encompass Tampico? It is important for us to know, because this is a question of emergency.

Hon. Mr. DAVIS—We will send Col. Hughes over.

WESTERN LIFE ASSURANCE COMPANY BILL.

THIRD READING.

Hon. Mr. ROSS (Moosejaw) moved the third reading of Bill (D-2), An Act respecting the Western Life Assurance Company.

Hon. Mr. GORDON—I move, in amendment, that this Bill be referred back to the Committee on Banking and Commerce for the purpose of seeing if the promoters of this Bill would not agree to a change of name. It seems to me it is a very unfortunate thing that this name should be chosen. We have a company doing business which is called the Great West Life Insurance Company. Hon. gentlemen will see that there might easily be a confusion of names which might be very disastrous to people who might insure. We all hope that this will turn out to be a very successful and profitable company, but at the same time there is a chance of a conflict of names, and there is a chance of people insuring in this company, thinking they are insuring in the other.

Hon. Mr. WATSON—It would be a mistake to refer the Bill back to the committee, for the committee has decided on the name. The Bill has been reported. It is a Senate Bill, and has to go to the Commons. I decidedly dissent from the proposition that because a company is incorporated, and doing business in Canada, some other company cannot be started under almost a similar name. That proposition has been discussed recently; a Bill passed a few days ago by the Senate was held up in the House of Commons, the Prudential Company Bill, simply because a United States company had a similar name. A Canadian company doing business in seven provinces is held up because it uses the name Prudential.

Hon. Sir MACKENZIE BOWELL—The Great West is not a United States Company.

Hon. Mr. WATSON—No, but there should be no confusion in the names. This present company's name does not seem to conflict with the Great West Life in Canada, which is a Canadian company. The Western Life of Canada is surely a distinct enough name, and as far as the insurance is concerned, the main thing is that no fraud should be committed on the public. With our insurance branch of the Finance Department, we have sufficient guarantee that any company authorized to do business in Canada is a solvent company and a safe company to do business with.

Hon. Mr. GORDON—That is not the point.

Hon. Mr. WATSON—No. The main thing is to protect the public and the public guarantee of life insurance by the Finance Department of Canada and their officials is sure and safe. That is the principal thing to guard against. There is no danger of a fraud being perpetrated on the public because the names are similar. I do not think we should recognize the proposition that because a company has a right to do business in a certain name that some other company coming along wanting to use a name that might conflict should be debarred from getting incorporation.

Hon. Mr. THOMPSON—That question was brought to the attention of the committee but the representative of the insurance department was there and did not think at the time that there would be much confusion in using this name. I do not agree with the hon. gentleman from Portage la Prairie (Hon. Mr. Watson) that we should not be absolutely careful to prevent confusion in the names of corporations. A corporation may have earned a reputation, and done a large business successfully, may have grown into the public confidence, and another company adapting a name somewhat similar may start business, and the ordinary man would think that, possibly, it was the original and larger successful company, such company might perhaps be able, using the name of the successful company, to obtain an amount of business to which they were not entitled.

Hon. Mr. WATSON—Who would suffer?

Hon. Mr. THOMPSON—The insurance companies cannot always protect them.

Hon. Mr. WATSON—Who would suffer?

Hon. Mr. THOMPSON—The man who asked for the older company, might unknowingly do business with a company that had assumed the name of the large, more active and more successful company, he might get into that younger insurance company, and, until it had grown, its insurance to the individual patron would not be equal to the insurance of the larger company. I think we should be careful about the name. But the department was represented there, and the officials did not think there would be any confusion in using the name, and the committee agreed that the Bill should go as it stands.

Hon. Mr. BEIQUE—There will be an opportunity in the House of Commons when the Bill is there to make the suggestion; as the session is well advanced no time should be lost in passing the Bill through the House. I further call the attention of the hon. gentleman to the fact that his motion is not in order. He cannot move an amendment without giving notice.

Hon. Mr. DAVIS—The Great West Life is one of the largest companies doing business in the West. Its name is a household word; every one knows all about it. It is the most active and up to date company in the western country, and does not only a large life insurance business, but a large loaning business. I should like to ask why the promoters of this Bill want the word Western. It is easy to get any number of names for an insurance company. There must be some object. What can it be except to get under the shadow of a larger institution. There is bound to be confusion in these names. When life insurance agents get out in the country they are not always too particular; they might not tell people that this was the Great West, but they

might not tell them it was not. I can not see any object in this company wishing to use the word 'western' unless they wish to get some advantage and obtain some of the business of the other company.

Hon. Mr. GORDON—To ease the mind of the hon. gentleman from Portage la Prairie, I would just say that the only thought I had was for the protection of the people to whom these agents sell policies; I was not thinking of the protection of the company at all. To-day in every province of the Dominion charters are being issued indiscriminately to companies whose names conflict with those of other companies. Take for instance a locality near here which most of you know; a company obtains a charter and develops a good mine. When that mine has a reputation, other men obtain a charter with a name slightly changed from that of the successful company, and impose on the public by selling stock bearing a somewhat similar name. People buy that stock thinking they are purchasing stock in the original mine. The same applies to insurance companies. There is no reason why this company should not be able to do business by some other name just as well as under the name the incorporators are seeking to get.

Hon. Mr. THOMPSON—The company is already engaged in doing business under a provincial charter.

Hon. Mr. GORDON—If it is doing that I withdraw my objection.

Hon. Mr. WATSON—This company was incorporated in Manitoba in 1910, and has been doing business since that time. Winnipeg is the home of the Great West Life, and if there had been any objection to this name being adopted in Manitoba, surely the Great West Company would have raised an objection there, and they would have succeeded there and succeeded here. The Great West Life have not objected, I understand; this company has the name already.

The motion in amendment was withdrawn, and the Bill was read the third time and pased.

CONTINGENT ACCOUNTS OF THE SENATE.

MOTION.

The Order of the Day being called:

Consideration of the motion of the Hon. Mr. Thompson, appealing against the ruling of His Honour the Speaker, on the motion for the adoption of the second report of the Committee on the Internal Economy and Contingent Accounts of the Senate.

Hon. Mr. LOUGHEED—Would my hon. friend have any objection to allowing this matter to stand until Tuesday or Wednesday next? It will give an opportunity to members of this Chamber to see if we cannot have a better understanding.

Hon. Mr. THOMPSON—The reports of this committee seem to have a very strenuous time in being dealt with, but on the suggestion of the leader of the Senate, and with the consent of the House, I move that the Order of the Day be discharged, and placed on the Orders for Wednesday next.

The motion was agreed to.

VANCOUVER HARBOUR COMMISSIONERS ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (128), an Act to amend an Act to incorporate the Vancouver Harbour Commissioners.

(In the Committee.)

Hon. Mr. BOSTOCK—When this Bill was under consideration before, I asked if the hon. leader of the House was aware that the powers taken under this Bill might conflict with conditions existing in British Columbia. I want to draw the attention of the hon. gentleman to the only report I have of the condition of things existing in Vancouver, which appears in the Sun, a newspaper published in Vancouver, in its issue of the 9th of April. The statement is made that a judgment has been given by Mr. Justice Macdonald regarding what is known as the Spanish Banks property. The Spanish Banks exist in what is known as English Bay, which, under the Act of last session, I think, is included in the limits of the harbour of Vancouver. Section 4 of the original Act of last session is as follows:

For the purpose of this Act, the harbour shall include Burrard Inlet, with the North Arm and Port Moody, False Creek, and English Bay and all other tidal waters lying east of a line drawn from the Point Atkinson lighthouse southerly to the most westerly point of Point Grey.

This judgment of Mr. Justice Macdonald was published on the 9th of April, and in summing up he is reported as saying: 'I find that English Bay was not within the

limits, within the meaning of the British North America Act, of a public harbour in 1871.' Of course, this is only a newspaper report; I have not been able to get the exact judgment, but I ask my hon. friend if he has had this drawn to his attention, and whether he does not consider that this whole question should be carefully looked into before this matter is dealt with. The decision given by the judge apparently makes out that the rights of the commissioners only dealt with navigation in this harbour; therefore, what is the purpose of dealing with this matter of land at all? If the judgment is correct, the land belongs to the province and not to the Dominion. We ought to have some particulars as to that before we go on with the Bill.

Hon. Mr. LOUGHEED—The Bill before us in no way disturbs the existing condition of things so far as the titles or the interests of third parties are concerned in the harbour lands of Vancouver. That is peculiarly a matter for the courts to deal with. This legislation could not possibly be applied in solving the question which has been raised. I fancy there has long been a contentious question as to the title of certain lands in the vicinity of Vancouver. Some of these lands are claimed by the provincial Government and some by the Crown through the Federal Government. All that this Bill proposes to do is to revest whatever title passed, under the Act of last session, in the Crown; that is to say, during last session of Parliament we vested in the Harbour Commissioners of Vancouver, for specific purposes, the lands in that harbour. It is now proposed to take back those lands, to revest them in the Crown so that the Crown may make disposition of them, instead of the Harbour Commission. It would be unwise in any sense whatever to interfere with the judgment of the court. If matters of that kind are in litigation they simply have to proceed to the court of final resort for a final judgment, and the Government would not be justified in any event in seeking to interfere in a question of title as between the parties.

Hon. Sir MACKENZIE BOWELL—As I read the statement that appeared in the newspapers, I thought that the judgment referred exclusively to the shore lands on English bay. Does English bay or Point Grey form part or parcel of the harbour of Vancouver?

Hon. Mr. BOSTOCK—That was included in the limits of the harbour in the Act of last session.

Hon. Sir MACKENZIE BOWELL—That is the way I understood it, but the court says under the terms of admission of British Columbia into the Dominion certain rights were reserved to the province of British Columbia at that time. That is the point, as I understand it, that was under dispute as I read the statement that appeared in the newspaper. It seems strange that a portion of English bay, which is simply an inlet of the Pacific ocean, should belong to a province and be taken out of the jurisdiction of the Dominion. However, if that were one of the terms of the agreement, of course the courts will decide it that way. Might I ask the leader of the Government whether that judgment has been finally disposed of, or whether it is to go to the Privy Council?

Hon. Mr. LOUGHEED—I cannot say. We are not interested in that so far as this legislation is concerned. If my hon. friend will look at section 14 of the Act of last session, he will there observe that the Parliament of Canada has only dealt with lands and interests in lands within the limits of the harbour and heretofore vested in His Majesty in the right of Canada, so that there has been no pronouncement whatever as to what lands we are the owners of.

Hon. Mr. BOSTOCK—The Minister of Justice, I understand, was a party to this action.

Hon. Mr. LOUGHEED—If the lands belong to the province they continue to belong to the province.

Hon. Mr. BELCOURT—Will there not be a conflict between section 12 of the Act and these clauses which are being enacted? Section 12 reads as follows:

> The corporation may acquire, expropriate, hold, sell, lease, and otherwise dispose of such real estate or personal property as it deems necessary or desirable for the development, improvement, maintenance and protection of the harbour, or for the management, development, and control of the property vested in the corporation, etc., etc.

Might there not be a conflict between that section of the Act and clauses 14 and 15 of this Bill?

Hon. Mr. LOUGHEED—I am not prepared to say that there would be. All this Bill does is to undo what was done last session—that is to say, we vested last session certain lands in the Harbour Commission.

Now such of those lands as they have not disposed of and are yet vested in them we propose to revest in the Crown.

Hon. Mr. BELCOURT—I am dealing with another point.

Hon. Mr. LOUGHEED—Section 12 anticipates the corporation acquiring, expropriating, holding, selling, and leasing such real or personal property as it may deem necessary for the development and improvement of the harbour. I should say that would be an entirely different class of land.

Hon. Mr. BELCOURT—You mean outside of the Crown lands?

Hon. Mr. LOUGHEED—Yes, outside of the Crown lands. A power of that kind, it seems to me, would be necessary to be exercised by the Harbour Commission in the performance of their duties under the statutes.

Hon. Mr. POWER—And the corporation might acquire the land from the Crown.

Hon. Mr. BELCOURT—Then a conflict would arise in that case. If they acquire lands from private persons or from the Crown under section 12, then those lands would be under the control of the corporation, and conflict would surely arise.

Hon. Mr. POWER—Section 14 of the Act of last session vests all the lands and interests in lands within the limits of the harbour, and heretofore vested in His Majesty in the right of Canada, in the corporation for the purposes of the Act. The Bill before us proposes to revest those lands in the Crown in the right of the Dominion of Canada. If the corporation happened to require, under section 12, any of the lands which are vested in the Dominion, then they can acquire them by agreement or otherwise from the Dominion, so that I do not think there is any serious difficulty.

Hon. Mr. BELCOURT—The trouble would arise in this way: the corporation, after the passing of the Act of 1913, might acquire certain lands which had been vested in the Crown. The moment the corporation took those lands over, the corporation obtained absolute control over those lands. What are we doing by clauses 14 and 15 of this Bill? We are revesting those lands in the Crown, so that surely then there would be a conflict between section 12 of the Act and clauses 14 and 15 of the Bill. There is another thing as to which conflict may arise; if lands have been sold or leased by the corporation in the meantime, what about those lands?

Hon. Mr. LOUGHEED—Those would be subject to whatever tenure they were leased upon. The Bill only provides that such lands as are now vested in the commission may be revested in His Majesty.

Hon. Mr. BELCOURT—Take the case of lands vested in the Crown.

Hon. Mr. LOUGHEED—It is practically a question of changing the trustee. My hon. friend will observe from the Bill that it all enures to the advantage of the Harbour Commission. That is to say, the revenue derived from all grants and leases shall be retained and form part of the revenue of the corporation. This legislation is sought because it is inconvenient or impracticable to make leases of much of these lands, the owner of the riparian having certain rights in the foreshore, and therefore he might better deal with the Government for the acquisition of those foreshore rights, and it would be very much more advantageous to convey or sell him whatever the foreshore rights may be than to make a lease for a particular length of time. Furthermore, it will contribute to the making of more permanent improvements in the harbour. It would be a difficult matter to lease to a stranger the foreshore rights which attach to the riparian rights, for the simple reason the owner of the riparian rights would object to his being blocked from his enjoyment of the foreshore rights. This question can be very much more readily administered by the Crown than by the Harbour Commissioner.

Hon. Mr. BELCOURT—I think there is a difficulty there, and a very serious difficulty. I am dealing now with lands which were formerly vested in the Crown, but which may, in the meantime, since the passage of the Act of last session, have been acquired by the corporation and subsequently leased by the corporation to private individuals. That land, notwithstanding the lease, is being revested in the Crown.

Hon. Mr. POWER—No.

Hon. Mr. BELCOURT—Yes; so you will be wiping out any leases granted in the meantime.

Hon. Mr. POWER—It does not say that.

Hon. Mr. BELCOURT—Clause 1 says:

1. Section 14 and section 15 of chapter 54 of the statutes of 1913, an Act to incorporate the Vancouver Harbour Commissioners, are hereby repealed and the lands and interest in lands within the limits of the harbour as therein described are hereby declared to be revested in His Majesty in the right of Canada from and after the date of the passing of this Act.

Hon. Mr. POWER—The hon. gentleman is right.

Hon. Mr. BELCOURT—So if the corporation has dealt with any of those lands after acquiring them from the Crown by lease, you are wiping them out and destroying their title.

Hon. Mr. LOUGHEED—I would not so construe it. Whatever equity is vested in the Harbour Commission passes to the Crown. The Crown takes the place of the Harbour Commission. It does not cancel the transactions in that land. The Crown steps into the place of the Harbour Commission. The commission only had the right to lease the lands, and as a matter of law, if the commission made a lease of those lands that lease certainly would be good as against the Crown even though there be a revesting of the fee in the Crown.

Hon. Mr. BELCOURT—The trouble would be the lease was not issued by the Crown. The corporation took the lands for harbour purposes, and finding that it did not require them, leased them to a private individual, so the Crown would not be bound by that. I am not representing any interest; I am only speaking in the interest of good legislation, and it seems to me that that ought to be looked into.

Hon. Mr. POWER—I assume that none of those lands have been parted with and that no action has been taken with respect to these lands during the past year, but after all that is only an assumption. It seems to me the reasonable thing now would be to let this Bill remain in committee, so that the hon. gentleman may be able to assure the committee that he learns from the department that no disposition has been made of these lands by the corporation.

Hon. Mr. LOUGHEED—I should be very glad to take up the subject with the department.

Hon. Mr. BELCOURT—There might be a serious difficulty there.

Hon. Mr. LOUGHEED moved that the committee rise, report progress, and ask leave to sit again.

The motion was agreed to.

FISHERIES ACTS CONSOLIDATION AND AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (71), An Act to consolidate and amend the Acts respecting Fisheries and Fishing.

(In the Committee.)

Hon. Mr. LOUGHEED—I have been asked by my hon. friend from De Salaberry to allow this Bill to stand until Wednesday next. I have no objection to doing that, but in the meantime, in answer to a request made from the opposite side of the House yesterday, for more detailed information touching the various amendments, I would take the liberty of pointing out to the House what the amendments are.

The present Fisheries Act, Chapter 45 of the Revised Statutes of Canada, has been amended from time to time. Also, under section 54 of the existing Act, the Governor in Council has power to make regulations which may extend, vary or alter its provisions in certain respects. This has been done in many instances, so that there are now several clauses of the Fisheries Act respecting close seasons for fish, meshes of nets, etc., which have been superceded by regulations. The Act, therefore, in its present form, is confusing and urgently needs revision and consolidation. It has never been revised since it was first enacted in 1867.

The new Act is considerably shorter than the old one, owing to leaving out sections that have been superceded by regulations. The following are the only amendments of importance:

In section 2 of the Bill, 'fishery' is defined. This is necessary, as section 53 of the Bill gives Fishery Officers the power to prescribe the distance between every 'fishery.'

Subsection 3 of section 5 is new. It gives the minister authority to appoint fishery guardians without going to council. Such was the practice for many years, though under the Act it was not legal. Last year all fishery guardians were employed under the authority of an Order in Council.

The next change of any importance is in section 26. This is a new section. The object is to enable the minister to send anyone from headquarters, or anyone else other than a fishery officer, to investigate operations at lobster canneries, which person can require the manager or proprietor to produce his license.

The next change, and probably the most important one, is section 29. This replaces

section 44 of the existing Act. As the law now stands, before the department can secure a conviction it is necessary for it to establish as a preliminary fact that the fish were caught at a time or in a manner prohibited by law, thus rendering it necessary for the department to adduce the evidence of some person who has actually seen the fish being caught illegally before the person possessing them can be called upon to show lawful excuse for having them. If during the close season for lobster fishing, a fisherman comes ashore with a boat-load of lobsters, unless we can produce the evidence of some one who saw him illegally take the lobsters, we cannot proceed against him.

The new section makes possession of fish during the close season, in itself, an offense, unless the possessor can show lawful excuse for having the fish. While this may seem drastic, it is a condition of different game laws, and it is absolutely necessary to enable the department to control difficult situations arising, particularly in the lobster fishery, and it must be taken for granted in administering the law, such will not be done with undue harshness.

The next change is in section 31. The change is that where a canal around a dam is more feasible than building a fish-way through it, such is made regular.

Subsection 6 of section 31 is new. The object is to give the department power to remove old dams or obstructions to the ascent of fish without being liable to trespass. Instances sometimes arise where it is difficult to find the owners of such obstructions or where they have left the country.

Section 35 amends the existing law to the extent of enabling the minister to grant authority for the erection of barriers not only for retaining fish for fish breeding purposes, but for commercial purposes. Recently quite an industry has sprung up in Ontario, in the retaining of carp in enclosures. They are fed corn, etc., while there, and are placed on the markets at remunerative prices when the demand for them is best.

Section 37 is the same as subsection 7 of section 47 of the existing Act, excepting that it leaves out the words 'other than salmon' after the word 'fish,' in the second line. While the existing Act prohibits the use of bag-nets, trap-nets, etc., for the capture of salmon, the fact is that for many years past such nets have been in use in different parts of Canada. Subsection 2 of section 44 should be amended by the Senate.

The reason for the amendment is that since the Bill was framed, an instance of pollution has come to the attention of the department to which there is doubt if the clause as now drafted, would apply. The instance is in the case of the tailings from an iron mine being deposited in a salmon river. The iron oxide from these tailings causes not only serious pollution of the water , but is liable to ruin the spawning grounds. It is doubtful if the ejusdem generis rule could not be applied to the section as it now stands. Hence the desirability of amending it in accordance with the proposal in the above mentioned letter.

Section 45 is the same as section 54 of the existing Act, with the exception of the addition of paragraph (g), making it competent for the Governor in Council to prohibit the export or sale of fish. This should also be amended.

A great deal of what the department regards as needless apprehension has arisen, particularly in Ontario, on account of the wording of this section. There seems to be an apprehension that it might be extended to prohibit the export of whitefish, etc. This apprehension would, it is found, be allayed if it were provided that any regulation made under this clause would not come into effect until six months after its publication in the Canada Gazette. There is no objection to such an amendment.

For several years past the regulations have prohibited the export of certain fish, such as black bass, maskinonge and speckled trout, also sockeye salmon in a fresh or uncanned condition, though there has really been no authority in the Fisheries Act for such regulations.

Section 47 is amended by authorizing a fishery officer or justice of the peace to break open and search any house, etc., in which he has reason to believe there is illegal fish. At present it is essential for the officer to procure a warrant. While he is doing so, all traces of illegalities would likely be removed.

Section 48 is new. Officers sometimes find masked men fishing or preparing to fish, as well as persons they do not know. They have at present no authority to arrest them. Hence they usually escape.

Section 50 is new. It is necessary by the fact that fishery officers are sometimes interfered with in the discharge of their duties, and there is no remedy in the existing law.

A subsection, a draft of which was enclosed to me in the minister's letter to Hon. Senator Lougheed, of the 4th instant, should be addressed to the Senate to section 63 of the Bill. This is to enable the enforcement

of the requirements of section 63. This is a very important clause; but while it existed under the old Act, nothing has been done to enforce compliance with it, and there is nothing in the Act which will enable the department to do so. After consideration of the matter, the proposed amendment seems to be the most feasible way of providing the necessary means. This should be made in the Senate.

A subsection should be added in the Senate to section 79 of the Bill, a draft of which was enclosed to me. This is merely to provide a penalty for an infraction of the subsection added to section 63 of the Bill.

Section 84 of the Bill is new. It provides that any fishery officer or fishery guardian who violates the law himself, or who aids, abets or connives at such, is guilty of an offense, and shall be liable to a penalty therefor.

Section 90 of the Bill amends the existing law, providing that a conviction shall not be quashed by certiorari. It frequently happens that owing to want of legal knowledge, errors are made in forms of conviction which would enable them to be superceded by certiorari.

Sections 91 and 92 of the Act should be replaced in the Senate by a new section 91, a draft of which I will submit.

The object of the change is to enable moities of penalties, or the whole of the amounts, as the case may be, to be paid to the provincial governments when effected at the instance of officers maintained by such governments. In the inland waters of Quebec and in Ontario, the fisheries are being administered by the provinces. Such has been the case since the Privy Council decision of 1898, which gave to the provinces such property interests in the fisheries as they held prior to Confederation. Under the new section, an Order in Council can be procured which will satisfactorily arrange the matter.

Section 93 is amended by giving a person convicted under the Act the power to appeal to the higher courts if he so desires. At the present time the only appeal is to the minister.

With these explanations, which will appear in the Debates, and may be an assistance to hon. gentlemen, I move that the committee rise, and report progress, and ask leave to sit again on Wednesday next.

Hon. Mr. POWER—These provisions obliging fishing schooners to put compasses, water and bread aboard the dories that are sent out from the schooners for the purpose of fishing, have been on the Statute Books for some time, but have not been enforced. I wish to suggest that there should be some provision compelling the owner of a schooner to satisfy the customs authorities that he has complied with this law. I do not suggest that it should be put in the Bill, but there should be some provision for it.

Hon. Mr. BAIRD, from the committee, reported that they had made some progress with the Bill, and asked leave to sit again on Wednesday next.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

Friday, April 24, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (Y-2), An Act respecting the Canadian Northern and Ontario Railway Company, and to ratify and confirm its purchase of a portion of the property of the Carillon and Grenville Railway Company.—Hon. Mr. McHugh.

Bill (Z-2), An Act to incorporate the Tidal Insurance Company of Canada.—Hon. Mr. Taylor.

Bill (A-3), An Act respecting certain patents of the F. N. Burt Company, Limited.—Hon. Mr. Kerr.

THIRD READINGS.

Bill (A-2), An Act respecting the Saskatchewan and Hudson Bay Railway Company.—Hon. Mr. Young.

Bill (58), An Act to incorporate The Sudbury, Kepawa and Bell River Railway Company.—Hon. Mr. Gordon.

Bill (J-2), An Act respecting The Berlin, Waterloo, Wellesley and Lake Huron Railway Company.—Hon. Mr. Bostock.

Bill (K-2), An Act respecting The Western Dominion Railway Company.—Hon. Mr. Talbot.

Bill (Q-2), An Act to incorporate the Farnham and Granby Railway Company of Canada.—Hon. Mr. Boyer.

Bill (22), An Act respecting Brazilian Traction, Light and Power Company, Limited.—Hon. Mr. Belcourt

Bill (10), An Act respecting Barcelona Traction, Light and Power Company, Limited.—Hon. Mr. Bostock.

Bill (27), An Act to incorporate The South Ontario Pacific Railway Company.—Hon. Mr. Bostock.

Bill (91), An Act respecting The Northern Territorial Railway Company.—Hon. Mr. Watson.

Bill (V-2), An Act to incorporate The Cornwall and Hawkesbury Railway Company of Canada.—Hon. Mr. Derbyshire.

Bill (12), An Act to incorporate The North American Accident Insurance Company.—Hon. Mr. Bolduc.

UNIVERSITY OF SASKATCHEWAN BILL.

SECOND READING.

Hon. Mr. COFFEY, in absence of Hon. Mr. Davis, moved the second reading of Bill (89), An Act respecting The University of Saskatchewan, and to change its name to 'The University of Emmanuel College.'

Hon. Mr. POWER—I do not rise for the purpose of opposing the second reading of the Bill, but to call the attention of the Committee, to which the Bill would be referred, to what seems an inconsistency in the wording of the Bill. There is now an institution known as the University of Saskatchewan. That is the title by which the institution has been incorporated; it is an institution with all the privileges, as I understand, of a university. It is proposed now to change the name from 'The University of Saskatchewan,' to 'The University of Emmanuel College.' I have no particular objection to their changing the 'University of Saskatchewan' to 'Emmanuel College,' but to speak of an institution as a university of a college is hardly accurate, and I trust the committee may find some way of getting over the difficulty. They might call it 'Emmanuel College' or they might call it the 'University' of some other place, but to describe this institution as a university of a college seems to me to be an abuse of terms. There may be many colleges in a university, but I do not think one college constitutes a university in itself.

Hon. Mr. DANIEL—I might remind the hon. gentleman who has just spoken that McGill University is practically named in the same way; it is the 'University of McGill College' as I understand it. We ought to have some explanation as to whether this institution is really a university or not; what is a university?

Hon. Mr. POWER—They might call it 'Emmanuel University' if they please, but not 'The University of Emmanuel College.'

Hon. Mr. DANIEL—It is the University of Emmanuel College. A university, as I understand it, is an institution that is incorporated by proper legal authority, and has the requisite power to grant degrees in the various sciences; that is what I understand by a university. Now, I think we ought to have some explanation as to whether this college has the power, the opportunities, and the facilities for teaching these various sciences, and if it has the power to grant degrees in them; otherwise it should not be called a university. I understand, from the explanation made just now by the hon. member from Halifax, that this is not the 'Provincial Saskatchewan University,' that there is another University of Saskatchewan, which is the Provincial University, and that this is an independent institution which they propose to call 'The University of Emmanuel College.' 'Emmanuel College' is all right, but if it is going to be incorporated as a university, Parliament ought to know whether it has the powers of conferring degrees in the various sciences, and whether it has the proper facilities for teaching. Otherwise it is an entire misnomer, and the institution is not entitled to the name at all.

The SPEAKER—I do not know if the hon. gentleman thinks it is within our province here, to pass a Bill in reference to education—in reference to a university.

Hon. Mr. DANIEL—It might be better to discharge the Order for this afternoon, until the hon. gentleman in whose name the Bill stands, is present, and then he can give the explanation.

Hon. Mr. POWER—He could appear before the committee.

Hon. Mr. YOUNG—If the hon. gentleman will permit the Bill to go before the committee, the attention of the committee will be directed to the name and to any other feature that may arise in connection with it. I fancy that those who are supporting the Bill will be able to show some reason why this name should be changed; if not it will be in the province of the committee to make some suggestion or amendment which will meet the views of the majority of the House.

The motion was agreed to, and the Bill was read the second time.

SECOND READING.

Bill (W-2), An Act respecting The Toronto Terminals Railway Company.—Hon. Mr. Watson.

CATHOLIC MUTUAL BENEFIT ASSOCIATION BILL.

SECOND READING.

Hon. Mr. COFFEY moved the second reading of Bill (X-2), An Act respecting the Grand Council of the Catholic Mutual Benefit Association of Canada.

The motion was agreed to, and the Bill was read a second time.

Hon. Mr. COFFEY moved that the Bill be referred to the Committee on Banking and Commerce.

Hon. Mr. DANIEL—We should have some explanation regarding this Bill. I find that it proposes to put certain members of this organization, who are insured in it, in a very embarrassing position. We give this grand council power to assess certain members of the association for larger amounts than their contracts hitherto have called for. We have already had, in the case of the Independent Order of Foresters, a good deal of trouble with similar legislation, though not so drastic as this. With regard to the Independent Order of Foresters, though the Supreme Court was given certain powers, those powers could only be used after the matter had been considered and adopted by the various courts throughout the Dominion. In this Bill the grand council is authorized to assess certain members, who came into the organization before 1907, to any extent the council pleases. The powers asked for, without any sort of restriction, and without having any measure that may be taken by the grand council properly adopted by the organization, are larger than this Parliament ought to bestow, because it puts these people who entered the organization before a certain date in the position that, if they do not pay the increased assessment which their contracts hitherto have not called for, they will forfeit all they have paid and receive no benefit for the amount of money which they have paid to the association. The matter might be threshed out before the Committee on Banking and Commerce, but the hon. gentleman in whose name the Bill stands might explain why the Bill calls for such unusual powers.

Hon. Mr. COFFEY—The hon. gentleman is quite right in drawing attention to this matter, and there is much force in what he has stated. The Catholic Mutual Benefit Association has had pretty much the same experience as nearly all other benefit societies which were organized in Canada thirty or forty years ago—they began doing business at less than cost. Now experience has taught them that some change must take place. I have been a member of this association almost from its very inception, perhaps 38 years ago, and I am intimately acquainted with everything connected with it—at least I was more intimately connected with it ten years ago than I am at present—but it is pretty much the same institution still. When we began first we assessed the members $1.10 a month for an insurance of $2,000. This was all very well so long as the membership consisted for the most part of young people, but unfortunately we began to get old, we began to drop off, and it was necessary to make some change. Then, instead of issuing monthly assesments of $1.10, we sometimes doubled them up and issued assessments of $2.20 per month. The officers of the association have lately been going over its affairs with actuaries, and they have come to the conclusion that, unless some change is made, the whole organization will tumble about our heads some of these days. We are doing business at less than cost; that is the argument of the officers. It is only fair, also, to present the case of the old members, many of them consisting of workingmen earning perhaps a dollar and a half or two dollars a day. How will this increased assessment affect them? I might say that only to-day I received a telegram from the branch to which I belong in London, Ontario, asking me to oppose the passage of this Bill. This places me in a very ugly position, as having presented the Bill I could not very well oppose its passage. However, I think the better way would be to let this go before the committee, and then we can thresh out the whole matter in a more satisfactory manner, for there are a great many arguments to advance on both sides. I want to be perfectly fair; I want to have the society continue doing business; it has done excellent work in its time. So far as I know it has been very carefully managed, and millions of dollars have been paid out in beneficiary money to widows and orphans. I am solicitous for its future,

and I would like to have something done to insure its permanence without, at the same time, unduly pressing upon the poorer members of the society, who have now all they can do to meet the present payments. Let the Bill go to a committee, and we can talk the matter over in a more satisfactory way. If there is any opposition to the Bill, let those who are oppposed to it come forward, and let the officers of the society, Mr. Hackett and others, come and present their side of the case, and we will try and arrive at an equitable adjustment of the matter.

Hon. Sir MACKENZIE BOWELL—Under the regulations of this society, have they the power, in the case of the death of any of the members—the funds at their disposal not being sufficient—to make an assessment in order to supply the deficiency? Some of these mutual societies, in the case of the death of one or two members, make a larger call than had been anticipated as necessary upon the funds of the society; they make an assessment upon the mutual principle, the same as they do in the mutual companies. Does that principle not prevail in this society?

Hon. Mr. COFFEY—No, that is not the way it is done.

Hon. Sir MACKENZIE BOWELL—This company finds itself in the same position as the Independent Order of Foresters. The Independent Order of Foresters found their monthly assessments were not sufficient to cover the demands of the society, and consequently asked for certain powers from Parliament. If my recollection serves me right, they obtained power to increase the assessment. There is a law-suit now pending in the United States against the increased assessment which the Independent Order of Foresters has imposed upon the older members. It comes hard on the older members who have been paying for a great number of years. Possibly a provision could be made to increase the assessment upon all the younger members joining the society, and leave the original assessment, imposed on the older members of the association, as it was previously. I throw out the hint. I do not know whether it is practicable or not, but it is a point worthy of consideration. That will protect the older member who, like my hon. friend, has been paying for years, against an assessment in the future of double, perhaps, what he has been paying, in order that his heirs may secure the $2,000 in case he should die.

Hon. Mr. POIRIER—Inasmuch as the second reading affirms the principle of the Bill, I find that I cannot vote for it. There is something in the clause which is repugnant to me, and I cannot by my vote, without further explanation, sanction the principle of this Bill. Let us read the clause carefully. It is as follows:

> Notwithstanding anything contained in the contract, the grand trustees may increase the amount of the assessments payable by the members admitted to the association before the 1st November, 1907, to any amount which the trustees may deem necessary in order to make the association actually solvent.

Supposing a similar power were given to a bank, or to an ordinary company, would it not strike hon. gentlemen that something is involved in that power which is repugnant to usage? You give the grand council the right to tax members to any extent they may desire, without consulting these members. We are giving the grand council the power to alter a contract entered into by two parties, without one party being called upon or permitted to give assent to the change. This is highly objectionable in my view. But there is another power given by this clause to the grand council which, to my mind, is equally repugnant That is the power of discrimination. That deficiency is to be made up, if the grand council so desires, by increasing the assessments of certain insured members, and leaving the actual premiums of the others as they stand. Prima facie, that is discrimination. I cannot possibly, until I have read some satisfactory explanation, sanction such a precedent by my vote. I say it is a proceeding absolutely out of the ordinary. If such proposition had emanated from a recommendation made by a general meeting of the association, we would stand before a proposition that had been propounded according to ordinary usage wherein the interested parties had been consulted. In the case of an emergency—which is not the case of this company—recourse might be had to extraordinary measures. But here we have no evidence of that; the only thing we have here is a brutal enactment, as we might say, giving to the grand council powers which no grand council, no council of administration, no board would dare to demand; and which no shareholders in any

company would for a moment think of giving. I therefore would ask my hon. friend not to press the second reading of this Bill before he has something definite to give us, by which our consciences may be appeased.

The SPEAKER—The motion is to refer it to the Committee on Banking and Commerce.

Hon. Mr. POIRIER—I got up as soon as you did to expound my views, and it is not my fault if you got ahead of me.

The SPEAKER—I think it is your fault that you got behind me.

Hon. Mr. CLORAN—We could adjust the situation by moving an amendment; instead of having the Bill referred to the Committee on Banking and Commerce, let us have it referred to the grand council and see if they cannot present to Parliament a Bill that contains some measure of justice, and not a measure of tyranny and arbitrary methods of collecting money. I fully endorse what the hon. senator from Shediac (Hon. Mr. Poirier) has said in regard to this matter; the hon. senator who presented the Bill is apparently not of an adverse opinion. I have had some experience in regard to mutual benefit societies—the Independent Order of Foresters, the Canadian Order of Foresters, and others—and I found myself frozen out, that is I froze myself out in time. They were continually increasing the assessments; where they got the authority I do not know. Here is a point blank demand from an organization on Parliament to give the most arbitrary and tyrannical powers that can be accorded to any association, to levy taxes on the poor man—and after all it is only the poor man that is interested, for the rich man does not go into those mutual societies. There is no doubt that during the past thirty or forty years this organization has done a great deal of good; and although the second reading of the Bill has been passed, I hope that will not be taken as an endorsation of the clause in the Bill granting to that body, or any other body, such arbitrary and tyrannical powers. I do not know whether I would be in order in offering an amendment, that the Bill be not referred to the Banking and Commerce Committee in its present condition, but that it be referred back to its originators, to have them offer Parliament a presentable Bill, and one that we can vote for on a second reading without contravening any principle of justice. However, after these explanations, when this Bill reaches the Banking and Commerce Committee its members will see to it that the rights of the poor man will be protected in this matter; I have every confidence that the committee will do that. I feel, with the senator from Shediac (Hon. Mr. Poirier) that I would not vote for the second reading of this Bill, to consecrate any such principle, but the second reading is passed —which is an illustration of how business is railroaded through Parliament; we do not know where we are at; most important measures are fired at us, and passed over our heads and railroaded through without our knowing anything about it.

Hon. Sir MACKENZIE BOWELL—Whose fault is that?

Hon. Mr. CLORAN—Your fault and my fault.

Hon. Sir MACKENZIE BOWELL—You were here when the second reading was proposed.

Hon. Mr. CLORAN—Your fault, and my fault, as far as that is concerned. Now in regard to the mutual benefit associations, I have this to say, that much of this assessment on the poor man is levied, not for the orphan and not for the widow, but for the purpose of paying big fat salaries to the officials. Take the Independent Order of Foresters, to which I belonged and from which I withdrew after ten or twelve years of excessive payments of money—money which was largely going to pay fat salaries, to put up luxurious offices, and to furnish fine apartments for the use of the officials. That sort of thing ought to be put a stop to by Parliament, if necessary. These mutual benefit associations are all charity organizations and they have no need of luxurious offices, and yearly salaries to officials of $14,000 and $15,000, and $6,000 and $8,000 and $10,000, &c. In a charitable organization that sort of thing ought to be sat upon, and impeded by every parliamentary method possible. And this applies not only to mutual organizations; the same thing ought to be done in the case of every financial institution where enormous salaries are paid; and paid out of what? Out of the hard earnings of the working man, who puts his $10, $20, or $50 a year into the bank.

Hon. Mr. ROSS (Middleton)—Does the hon. gentleman know if the organization

of the society will not allow the members themselves to correct that abuse?

Hon. Mr. CLORAN—That is the fault of the Bill. It gives tyrannical power to the grand trustees to do as they please.

Hon. Mr. ROSS (Middleton)—That is, to levy assessments? Would not the organization of the society enable this democratic institution to regulate the salaries of its officials?

Hon. Mr. CLORAN—I am not asking Parliament to regulate their salaries.

Hon. Mr. ROSS (Middleton)—That is what the hon. gentleman is complaining about.

Hon. Mr. CLORAN—That is only an incident in the whole discussion. The hon. gentleman will find that what I stated is this: I have the most absolute objection to granting to any body of men arbitrary power to levy on the poor man against his will.

Hon. Mr. ROSS (Middleton)—I understand that, but the hon. gentleman is complaining of the large salaries paid. I am asking, simply for information, whether the hon. gentleman knows if the organization of this society will not allow the members to correct the abuse of big offices, and large salaries, without coming to Parliament.

Hon. Mr. CLORAN—The members have a right to regulate these matters, but they have mighty little power to do it. Does the hon. gentleman understand the difference?

Hon. Mr. COFFEY—In the organization of the Catholic Mutual Benefit Association, we have no officers getting big salaries, I can assure you the salaries are very moderate. I do not think you can get competent men to do the work for less. We have no luxurious offices, and we have a comfortable sum, half a million dollars, in the reserve fund. We want to put the business on a permanent basis, so as to insure against bankruptcy. In connection with this I feel really more in the position of a judge than an advocate for one side or the other. I want to see what is fair done to the membership and I want to ensure the safety of the society.

Hon. Mr. CLORAN—This question of salary is only an incidental matter. In mentioning it I was not alluding to the Catholic Mutual Benefit Society. They cannot pay $14,000; I know the Catholic Order of Foresters cannot pay $14,000, or build luxurious offices for themselves; but I know other institutions which do so, and which have forced members out of the order owing to the extravagance of their trustees. That is something I object to, but it is only an incidental matter which can be regulated within the four walls of the councils of those associations. I stand here protesting against the principle introduced in this Bill of giving to the trustees of any corporation such arbitrary and tyrannical power to take money from the poor man and use it as they please.

Hon. Mr. POWER—The hon. gentleman from Shediac (Hon. Mr. Poirier), need not be disturbed in his conscience with respect to voting for the second reading of the Bill. It is an understood rule that in voting for the second reading of a private Bill, a member practically commits himself to nothing. The Bill goes, as a matter of course, to a standing committee, and any one who is opposed to the measure has an opportunity to appear before that committee, and the committee generally is quite prepared to listen patiently to anything that is said. Then, when the report of the committee comes up to this House every member has a right to object to the report. That is as to the question of the second reading. The truth is that the whole time of the Senate would be taken up dealing with matters that they really cannot deal with properly, if we were to discuss the merits of every private Bill at its second reading. I appeal to the general sentiment of the House, that we should not be able to adjourn half as often as we do if every private Bill had to be fought out on its second reading. I wish also to say a word as to the point made by the hon. gentleman from Victoria Division (Hon. Mr. Cloran), as to the tyranny and injustice likely to be perpetrated upon poor people, by giving such power as this Bill proposes to confer on the grand council of this association. In the first place, the association is a democratic one; the members elect their own representatives to the grand council, and consequently there does not seem to be any very good chance for tyranny. In the next place the reason why this Bill is before the House is that after an examination by actuaries it has been found that this institution is practically almost insolvent, and that if it continues to do business on its present basis no one will get anything. Now, hon. gentlemen will see

that the poor men will lose just as well as the better-off men. The only question is this—and it is a question that the committee can decide—whether the remedy for the present condition of things proposed in this Bill, is the best and most judicious remedy. That is a matter we cannot deal with in the House, but which the committee can deal with, and the hon. gentleman from Victoria Division (Hon. Mr. Cloran), or any other hon. gentleman, who has a plan which he thinks will be as effective as that proposed in the Bill, and which is not as objectionable, will have an opportunity of inducing the committee to adopt his plan; but I do not think any reason has been shown why the Bill should not be read the second time.

Hon. Mr. DANIEL—For my part I think the Bill should go before the Banking and Commerce Committee, with instructions to make such amendments to the measure as will safeguard the rights of these people. I do not mean to say that the organization should not be given power to make increased assessment, if such increases are necessary; but the hon. member from Victoria Division, for instance, has said that possibly a number of these people may be too poor to pay increased assessments. In that event, under this Bill they drop out and lose all they have paid in. Now, in many of the regular life insurance companies, in some states of the Union at all events, they have a law that if a person pays in as many as three premiums into the company—supposing he pays no more—he retains a credit in that company to the extent of the amount of money he has paid in.

Hon. Sir MACKENZIE BOWELL—The same provision is in the law regulating life insurance companies in Canada.

Hon. Mr. DANIEL—That law does not apply to fraternal insurance companies. In order to safeguard the old members, some of whom may not be able to pay the increased assessment, the committee might introduce a clause providing that any one who is forced out of the organization by inability to pay the increased rates, should still hold a lien on the amount of insurance already paid for. That is the point I had in view, rather than any proposal to restrict the power of the association to increase its assessments, if such increase should be found to be absolutely necessary, to save the organization from bankruptcy. Perhaps we had better let the Bill go to the Banking and Commerce Committee and we can thresh it out there.

Hon. Mr. POIRIER—My venerable, not to say reverend, friend from Halifax, having appeased my conscience and becalmed it greatly, I bow to the inevitable but not without a protest against taxation without representation.

The motion was agreed to.

The Senate adjourned till Tuesday next at 8 p.m.

THE SENATE.

Tuesday, April 28, 1914.

The SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (B-3), An Act to amend the Civil Service Act, 1908, as respects the Senate of Canada.—Hon. Mr. Thompson.

Bill (C-3), An Act respecting certain patents of Frederick Sinclair Corrigan.—Hon. Mr. Kerr.

THIRD READINGS.

Bill (78), An Act respecting the Patent of Auto Wheels, Limited—Hon. Mr. Watson.

Bill (81), An Act to incorporate The Canadian Press Association.—Hon. Mr. Jaffray.

Bill (23), An Act respecting British American Nickel Corporation, Limited.—Hon. Mr. Taylor.

VANCOUVER HARBOUR COMMISSIONERS ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself again in Committee of the Whole on Bill (128), An Act to amend an Act to incorporate the Vancouver Harbour Commissioners.

(In the Committee.)

Hon. Mr. POWER—The hon. leader of the House undertook to give us some definite information as to whether or not any disposition had been made of any portion of the property transferred by the Act of last year to the Commission.

Hon. Mr. LOUGHEED—I am sorry to say that I am not able to inform the House of that fact, having entirely overlooked the question that was asked me on the subject.

Hon. Mr. POWER—Would it not be better to let the Bill stand until to-morrow?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. YOUNG, from the Committee, reported that they had made some progress with the Bill, and asked leave to sit again.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

Wednesday, April 29, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE GOVERNMENT PRINTING BUREAU

MOTION.

Hon. Mr. POWER rose to move:

That an order of the Senate do issue for a return showing:

1. The titles of all books, pamphlets and other printed papers issued by the King's Printer during the year ending on the thirty-first of March, 1914;
2. The number of each of such books, pamphlets and papers printed during such year and the number distributed, with the dates of distribution;
3. The number of pages in each;
4. The cost of each;
5. The authority for the printing and issuing of each of such books, pamphlets and papers.

He said: The matter to which I venture to call the attention of the House is a somewhat important one, although perhaps not as important to-day as it might have been four or five years ago. We spend, and have been spending for a long time, a very considerable sum of money for public printing. I wish it to be distinctly understood that I am not making any attack upon the present Administration, or upon the Administration which preceded it; I am simply dealing with the manner in which the business of the King's Printer's Department has been conducted. For a great many years there was a great deal of extravagance and incapacity shown in connection with the department, and also, as hon. gentlemen are aware, on at any rate two occasions, it was made known to the public that there had been very considerable dishonesty on the part of some employees of the department. But on looking at the records I find that during the past three or four years, since about 1908, when two of the most important officers of the department ceased to be officers, the business of the department has been conducted in a more efficient and honest way. Hon. gentlemen perhaps do not realize how great the expenditure in this department is. If they will turn to the report of the Department of Public Printing and Stationery for the fiscal year ending March 31, 1913, they will find that the amount of stationery, etc., supplied to the departments and Parliament was increased during the year by $157,300. The figures are:

1912-13	$931,861
1911-12	774,561
Increase	$157,300

That is as to the stationery supplied to the departments; the stationery purchased during the year was increased by $163,947. The total expenditure for wages, printing, material, binding supplies, and so on, for the last year amounted to $1,275,770; and for 1911-12 $1,164,939, being an increase of $110,831, and bringing the expenses of the printing branch over the one and a quarter million mark. At page three of this same report hon. gentlemen will find the total expenditure for the last year, ending March 31, 1913, was $4,817,388—almost five million dollars for the public printing and stationery alone. I do not enlarge on that. It is an immense sum to pay for the work; and the question is whether the country gets value for this money, and is it spent in the best way. I am not going into the history of the department, but I just wish to call attention to page 22 of the report of inquiry into the affairs of the department in 1910. There were two gentlemen appointed to inquire and report and their report is to be found in this volume. It is very interesting and shows a great deal of business ability. These gentlemen were Mr. John Hyde, a fellow of the Chartered Accountants' Association, and Mr. E. G. O'Connor. They begin with giving a history of the office of Queen's Printer. It was created in 1869, and the duties of Queen's Printer are set out in section 2 of chapter 7, of the Acts of that year, substantially as follows:

To print and publish, or cause to be printed and published for the Government under his superintendence the Official Gazette of the Dominion, the statutes of Canada, and all such official and departmental and other reports, forms, documents and other papers as he may be required to print or publish, or cause to be printed and published by or under the authority of the Governor in Council.

It will be seen that the primary duty of the King's Printer was to see that the Canada Gazette and the Statutes of Canada were issued in the proper way. What has been the fact? The statutes, which are, after all, the most important of all the matter that is printed for Canada, should be, as hon. gentlemen must feel, made known to the public at the earliest possible date after prorogation. The general rule is that a statute goes into operation from the date at which it is assented to. All the people of this country are governed by those laws from the date of prorogation. There are some exceptional cases where it is provided that an Act shall not go into operation until some later date, but the general rule is that the Acts govern the people of this country from the dates at which they are assented to. Now, does it not strike every hon. gentleman as a matter of business that every Canadian should have an opportunity, at the earliest practicable date, of knowing what the laws are which govern him; every one must admit that. Yet what is the fact. As a rule statutes, though generally passed not later than the month of May, are not distributed for about four months after they have been assented to.

Hon. Mr. CLORAN—There is a lot more.

Hon. Mr. POWER—I do not wish to over-state the case; we have taken about four months as a rule. Hon. gentlemen will see that that is a very serious matter, and a very objectionable condition of things, and every hon. gentleman must feel that it is a condition of things which should be remedied. For some time there was a practice adopted by the Government of the day of publishing the statutes which were supposed to be somewhat urgent in their nature, in a sort of supplement to the Canada Gazette; but even that small favour has ceased of late, and now these statutes are not distributed until probably four months after prorogation. This is evidence that, for the large sum of money which we pay, we fail to get the one thing which we have the best possible right to get, and which it is most necessary that we should get. The same thing is true of the journals of the Houses, though perhaps not quite to the same extent; but it is true that the department is continually pouring forth printed matter for which there is absolutely no necessity whatever.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. POWER—I know the House is not very anxious to have me say very much about this thing.

Hon. Mr. CLORAN—Go on, you are all right.

Hon. Mr. POWER—I am quoting from the report of the inquiry into the affairs of the Department of Public Printing and Stationery. Messrs. Hyde and O'Connor quote from a report made by the Civil Service Commission, of February 1908, composed of Messrs. Courtney, Fyshe and Bazin. This is the quotation:

> In the preparation of the blue-books presented to Parliament there seems to be a certain amount of over-lapping and duplication. It is difficult, for instance, to know in what respect the blue-books emanating from the Customs and Trade and Commerce Departments differ. The gist of the blue-books are finally put together by the Director of Census and Statistics, in the Statistical Year-book of Canada, and it would seem to the commissioners desirable to ascertain whether the blue-books issued by the several departments could not be reviewed by some authoritative body with a view to their simplification and co-ordination, thereby increasing their value without increasing the cost. Your commissioners believe that this might be done by, possibly, a joint committee of the two Houses of Parliament entrusted with the printing of Parliamentary documents.

Well, we have this joint committee of the two Houses, and my hon. friend from Brockville is chairman of that committee, and I have no doubt that his attention having been called to the matter he will see, or do his best to see that this duplication does not take place to the same extent in the future as it has in the past.

Hon. Mr. CLORAN—Hear, hear; we know all about it.

Hon. Mr. POWER—I shall in a very hasty way refer to some of the duplications. There are the public accounts, and the Auditor General's report, the latter practically duplicates his observations with the former. There ought to be some means found of dispensing with one or the other of these.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. POWER—Then the Trade and Commerce and the Customs Department reports duplicate one another to a very considerable extent. There is one set of reports which I think deserves special attention. Every month there is published a volume nearly as large as this which I hold in my hand, headed

'Unrevised Statements of Exports and Imports.' I do not mean to say that it is not a desirable thing that the public should have a chance of learning about these things, but it seems to me that while the statutes of the country are not brought before the public, and the journals of Parliament are not before the public, it is a mistake to print these volumes, the material of which is interesting to a very limited number of persons. Some means might be adopted to publish in the Gazette summaries of these monthly reports, as is done in the case of the banks. If one takes up the last report of the Department of Public Printing and Stationery one finds, beginning at page 22, numbers of reports which, to a certain extent, are duplicates of other reports. There are special reports of the Trade and Commerce Department and the Customs Department, Public Accounts, Returns of By-Elections, Geographic Board reports, Return of General Elections, 1911, Influence of Icebergs on the Temperature of the Sea, Railway Statistics, Telephone Statistics, Farmers Bank—well, just now perhaps that is rather an important report—and the Trade and Commerce Monthly Bulletin. That is a very considerable item; it is published every month. In addition to that, there is a weekly report published by the same department, and then the Customs Department publishes monthly statements. That I have already referred to. Then there are the publications of the International Agricultural Institute—True and False Wild Oats, Research at Harrow Experimental Station, Experimental Tobacco Stations, Crop Rotation, Soil Cultivation, Corn for Ensilage, and Hardy Roses. I do not say that these are not interesting and valuable publications, but they are not in any sense essential or necessary for the carrying on of our business. With respect to the statutes, there are one or two points that the attention of the Government might be devoted to. If one goes to the Printing Bureau or to the King's Printer's Department, he will be told, 'Well, the reason why the statutes are not ready earlier is that there is delay in Parliament. The officers of Parliament do not furnish the department with the copy promptly.' That is one of the statements made on behalf of the King's Printer's Department. On the other hand I have been informed—and I presume correctly informed—that such is not the case. This is a point about which the leader of the House should satisfy himself. It is stated on the other hand that the copy is furnished to the Printing Bureau promptly by the officers of Parliament. If that is the case, there is nothing to be said against the officers of Parliament, and the Government should satisfy itself that that is the case. Now, whoever may be responsible, primarily, for this very objectionable delay in the publication of the statutes, there is no doubt that the Government in the end is responsible. I am not speaking of this Government in particular, because this is a grievance of long standing; but the Government are charged with the administration of the affairs of the country and it is their duty to see that their subordinates attend to their duty, and in an especial manner that the people of the country are afforded the earliest opportunity of knowing what the laws are, if they are to obey them. I trust that the hon. leader of the House, who is a thorough going business man, and keeps his mind open to suggestions, will try and see that this business of the publication and distribution of the statutes is put on a more satisfactory basis. In Nova Scotia we have a legislature which generally does not sit quite as long as this Parliament does, but a legislature which passes a number of statutes, probably on the whole about as many as are passed by the Parliament of Canada. They have a system there under which, beginning with the first of the statutes, the statutes are published from week to week. They use the form in which the statutes appear in a volume and they are distributed in the Royal Gazette of the province; and within about a month of the prorogation of the legislature, the public and general Acts of the province are published in pamphlet form and distributed, and that costs very little. I do not see why we should not be able to do the same thing here, and why a month or six weeks after prorogation the public and general statutes should not be distributed in that way, leaving the final distribution of the volumes to a later date. There is just one other point which deserves to have attention called to it, and that is the amount of work that is done outside of the Bureau. We have seen that the Bureau does a great deal of work which does not properly come within its jurisdiction, or does not come necessarily within its scope,

but I find on page nine of this report, for the last year, that there is an immense amount of printing done outside the Printing Bureau. I take the statement set out on page nine. In 1908-9 there was done, outside the Printing Bureau, printing to the amount of $987,814. In 1909-10 there was done $988,929. In 1910-11 there was done $1,130,610, in 1911-12 $1,165,455. In 1912-13 there was done $1,274,870.

Hon. Mr. CASGRAIN—Would that printing not be advertising Government business, or is it simply printing documents?

Hon. Mr. POWER—No, chiefly printing documents.

Hon. Sir MACKENZIE BOWELL—It includes the advertising.

Hon. Mr. POWER—I shall read some of the items for the last year so as to answer the question of my hon. friend from De Lanaudière (Hon. Mr. Casgrain). In agriculture there was spent for outside work $97,384—that is evidently not all advertising—Customs, $45,887; House of Commons, $281,764; and Immigration, $78,181. I am just reading the big items, Interior, $83,507; Miscellaneous Printing, $100,586; Post Office $159,476, Trade and Commerce $33,389. I have not very much more to say about it, only I feel that we are printing a great deal of matter not absolutely necessary to be printed, and we are failing to print, in due time at any rate, matter the printing of which is essential. As I have already intimated, we do the things that we ought not to do, and we leave undone the things we ought to do. I am satisfied that the leader of the Government in this House will agree with me that it is the duty of the Government in the future to see that the necessary work is done, and done in the most inexpensive way possible; and that the things which are not necessary shall not be done in a hurry. There is just one other point. Perhaps the hon. leader of the Government may say that they propose to issue a commission to inquire into this thing. As far as my humble opinion goes, there is not the slightest necessity for a commission. In this report on the Public Printing and Stationery issued in 1910, you have summaries of inquiries made and conclusions reached by three parliamentary commissions, one appointed in England, one appointed at Washington, and our own commission. All the information that any hon. gentleman or any member of the Government can require is at hand, and it is really the duty of the Government to do some work themselves, and not to leave in the hands of outside commissions all work that involves thought or inquiry. I move the motion that stands in my name, seconded by the hon. Mr. Thompson.

Hon. Mr. DANDURAND—The hon. gentleman from Halifax has mentioned the large amounts which are yearly paid for printing. He has not specified the parts of that printing matter which could be dispensed with.

Hon. Mr. POWER—I did; I mentioned some of them.

Hon. Mr. DANDURAND—Perhaps some of them; I do not know to what extent that would reduce the cost. I do not intend to dilate on the merits of the printing of these divers documents, which are distributed to the members of Parliament and to some of the people; I simply want to draw the attention of this Chamber to the possibility of reducing the cost of distribution. This printing is done by order; the reports of the divers departments must be printed; a number of documents are printed by the order of the Joint Committee on Printing of both Houses. It has struck me for a number of years that the Joint Committee could perhaps seize the opportunity of distributing a list of the documents that are printed for distribution to the parties who are on the list, and among whom stand the 300 legislators of both Houses, and of asking them what are the documents which they would like to receive from that list.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. POWER—A good idea.

Hon. Mr. DANDURAND—It seems to me that whatever the talents and the industry of the members, no one member of Parliament can interest himself in all those questions emanating from the several departments and from Parliament; every one specializes himself to a certain extent. Should not this list of printed matter be distributed to the members of Parliament and to those other parties who are on the list, journalists and others? I have never seen that list, and I do not know how large it is; but the list of documents I suggest might be distributed with the request that by a certain date the recipient should declare what documents he wishes to receive. I am convinced that by this means two-thirds of the printing of those documents would thereby be saved, and at the same

time an economy would be effected in connection with the mails, which are now obliged to carry to our homes those documents, half of which, as we all know, are thrown aside when they reach our homes, because few of us have houses sufficiently large to retain and tabulate those documents, and put them on our shelves. Therefore I would ask the members of this Chamber who are on the joint committee to consider the question of limiting the distribution of the immense number of documents sent out every year.

Hon. Mr. DERBYSHIRE—There is not a meeting of the Printing Committee at which we do not cut out possibly two-thirds of the documents which we are pressed to print. Possibly not over a third of the documents whose printing is demanded by the several committees are ordered by our committee to be printed. Every possible diligence is being put forward to eliminate, as far as possible, the useless stuff that they want printed. It is wonderful to see the persistency of some of those committees that want printing done. They think that because they have prepared some little document that affects them and their interests, it ought to be printed at the public expense and distributed for their benefit. We cut that out. Anything that is not for the public interest, to help to build up an industry which the printing of the report is calculated to promote, we cut out, and in that way we have eliminated at least two-thirds of the printing that was ordered last year.

Hon. Mr. DAVIS—The committee have put the pruning knife in the wrong direction. It appears to me that about two-thirds of the blue books that are published in this country, if they reach the hands of the public at all, go into the furnace. The suggestion made by the hon. gentleman from Montreal is the proper one; none of those books should be published except as asked for by those interested in having them. There is only one blue-book that is read by most of the people, and that is the Experimental farm reports; still you find members loading up the farmers with Trade and Commerce reports and other blue-books that are never read. All that is money wasted. The committee reports of this House would be much more valuable than these blue-books. There are committees of the Senate, such as the Committee on Agriculture, which elicit valuable information which might be furnished to the public, and would be read by the people generally. Another source of expense is the number of bound books which are sent to members of both Houses. At home I have about two wagon loads of such publications. I never look at them; they are no use to anybody, yet they cost an enormous sum of money. Anybody in either House who wants the information contained in those books could get it in the library. If some step were taken to cut off that extravagance it would be much better than applying the pruning knife to the reports which my hon. friend has mentioned.

Hon. Mr. LOUGHEED—I shall be very glad to obtain for my hon. friend the information for which he has asked. We are indebted to him for directing the attention of the Senate to this very important subject. It has been one that has long been under consideration, and notwithstanding the attention directed to the abuses which are said to have attended the public printing, it seems to be very difficult indeed to limit those abuses. The public printing is in an anomalous position in its relation to public expenditure. The responsibility largely rests on Parliament, and not upon any department of the Government. Session after session Parliament will give authority through its various committees, and particularly the Printing Committee, to have an enormous amount of printing done, very frequently irrespective of the public necessity for having it done. It would largely rest with that committee, to place some restriction upon, not only the public printing, but the distribution to which my hon. friend from Montreal referred a few moments ago. The Printing Bureau is very largely, if not altogether, subject to the will of Parliament, rather than of the head of the department. This, of course, is rather a peculiar anomaly. It in no way limits responsibility, consequently expenditure very frequently runs riot without the head of the department being able to check it. The Joint Committee on Printing, which represents both Houses of Parliament, could very advantageously discuss this matter, take evidence, obtain data, and come to a conclusion as to how expenditure could be limited in this particular branch. I shall be very glad to direct the attention of the Secretary of State, under whom the public printing is done, to the remarks made by the hon. gentleman from Halifax.

Hon. Mr. POWER—How about the Statutes?

Hon. Mr. LOUGHEED—I was about to say that much could be said about the suggestion made by my hon. friend as to the printing of the public statutes. The statutes have always been belated in their distribution. I quite appreciate what he has said as to the necessity of printing the statutes at an early date; and furthermore I cannot understand why the more important statutes, particularly the public Acts, should not appear in the Gazette in the manner suggested by my hon. friend. I shall be very glad to direct the attention of the Secretary of State to what my hon. friend has said on this subject, as well as to the subject generally, and to furnish the information called for.

Hon. Mr. CASGRAIN—When the hon. gentleman brings down this information I should like if he could add a statement as to how much is spent for advertising as well as for printing.

Hon. Mr. LOUGHEED—The motion might be amended to include that.

Hon. Mr. CASGRAIN—I should like to have the figures given separately.

Hon. Mr. LOUGHEED—I shall make an inquiry about that.

Hon. Sir MACKENZIE BOWELL—This is a question I have brought under the notice of the Senate a number of times, but not in so elaborate a manner as it has been brought up to-day by the hon. member from Halifax. The Printing Bureau was established by the Government with the intention of having all the public printing done by its own employees in its own establishment in order to prevent what was regarded as an abuse of the distribution of printing among the different offices of the country. We know, however, that since the establishment of the Bureau a large proportion of the work that it was contemplated should be performed there has been done by outsiders. I should like to see the motion before the House extended to include information as to patronage which has been distributed throughout the country for a few years past. There is this difficulty I know in connection with the increasing volume of printing to which reference has been made; the duty of the Printing Committee is to examine—at least it was years ago when I was a member of the committee—the different reports presented to Parliament and decide which of them should be printed. Many of the returns called for in both Houses have been for information relating to certain localities, or information for political purposes. These returns are generally referred to the Printing Committee for investigation, and they decide which of them shall be printed. I have had occasion to complain that certain documents which I thought contained important information for the people were surpressed, while others of less general importance were recommended for publication. The suggestion made by the hon. member from De Lanaudière would involve the printing of all the documents that are printed now, but a large stock would have to be kept on hand to meet the demands made by members for copies. For instance an importer might require a copy of the trade and navigation returns containing statistics for the year. In order to meet such demand, the reports would have to be printed as they are now. The only saving that could possibly be affected under the circumstances would be the reduced number of copies issued and distributed. For instance, each member now gets two copies of every departmental report. Now to carry out the hon. gentleman's suggestion, as the expense of printing has to be incurred, the only saving over the present system would be in the distribution. Suppose only fifty copies were asked for, the balance of the issue, say 200 or 300' would have to be stored away, or sent to the papermakers to be made into paper again.

Hon. Mr. DANDURAND—My idea would be to save the printing of those copies that the hon. gentleman speaks of as being kept in stock. Instead of printing 600 as is done now, if only 200 were asked for, the printing could be limited to 200.

Hon. Sir MACKENZIE BOWELL—The great expense is in the composition and not in the press work and paper. The only saving would be the cost of the paper and press work for the additional copies. The suggestion of the hon. gentleman would be quite right if you confined the printing and distribution to one copy, instead of two or three, of every document that is printed. The question of how far each department is responsible for this large expense is another point which requires further consideration. Some attribute the great expense to the Printing Bureau; but the Printing Bureau prints only such docu-

ments as are sent to it by the heads of the different departments. For instance, take the reports of the Department of Agriculture, a very large number of copies of which are required. They issue reports setting forth the advantages of the Northwest and other parts of Canada to immigrants. The order goes from the Department of Agriculture to the Printing Bureau for the printing of such reports and the Printing Bureau is not responsible if excessive printing is done. The increase, as has been explained by the hon. member from Halifax, in the expense of printing, is that a great many documents are printed that are not necessary. There are other points to which the attention of the minister might be directed where a saving could be made. In the report of the commission appointed to investigate the Printing Bureau in Washington, the recommendations contained in their report were acted upon by the United States Government, and brought about a saving of over a million dollars a year in the cost of printing alone, by suppressing the printing of documents which were considered unnecessary, and in other branches of printing, advertising, etc., which are not needed in the public interest. Advertising patronage may be abused by any department. I am not saying that it has or has not been abused in this country, but any one who reflects for a moment on the power that is given to advertise can see how abuses might creep in. In some departments advertisements in connection with a matter relating, for instance to Montreal, have been published in newspapers in the Northwest territory, and when the accounts were sent in they had to be paid. I am only giving that as an illustration of how some newspapers abuse what they consider their right for a share of patronage. I do not wish to be considered egotistical, but while I was at the head of the Customs Department, any newspaper which published an advertisement affecting my department, unless it had authority for publishing it, never had its account paid. Precaution has been taken of late years by the recent, as well as by the present Government, to put a small notice at the end of each advertisement that this will only be paid for when ordered by the department. That has put a stop to a very great extent to the practice of which I have been speaking. My own impression is that with proper investigation and caution very much might have been saved in the way of printing, not only last year but in previous years. I should like to see the Order for the return go back for a few years, and not be confined to the year ending 31st March, 1914. Every politician knows how that can be used. Unless a thorough investigation is made and the practice that has been followed in years past is considered also, very little will be accomplished.

Hon. Sir MACKENZIE BOWELL.

The motion was agreed to.

CONTINGENT ACCOUNTS OF THE SENATE.

CONSIDERATION OF REPORT POSTPONED.

The Order of the Day being called:

Consideration of the motion of the Hon. Mr. Thompson, appealing against the ruling of His Honour the Speaker, on the motion for the adoption of the second report of the Committee on the Internal Economy and Contingent Accounts of the Senate.

Hon. Mr. LOUGHEED—Would my hon. friend have any objection to permitting this Order to stand until to-morrow?

Hon. Mr. THOMPSON—Personally I would prefer to have the matter dealt with to-day, but out of deference to the leader of the House, I move that the Order of the Day be discharged and placed on the Order Paper for to-morrow.

The motion was agreed to.

FISHERIES ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into

Committee of the Whole on Bill (71), An Act to consolidate and amend the Acts respecting Fisheries and Fishing.

(In the Committee.)

On Clause 2.

2. In this Act, and in any regulations made thereunder, unless the context otherwise requires,—

'Minister' means the Minister of Marine and Fisheries, R.S., s. 2.

'fish' includes shell fish, crustaceans and marine animals.

'fishery' means and includes the area, locality, place or station in or on which a pound, seine, net, weir or other fishing appliance is used, set, placed or located, and the area, tract or stretch of water in or from which fish may be taken by the said pound, seine, net, weir or other fishing appliance, and also the pound, seine, net, weir, or other fishing appliance used in connection therewith.

Hon. Mr. POWER—I wish to call the attention of the committee to the definition of the term fishery. This clause reads:

Fishery means and includes the area, locality, place, or station in, or, on which a pound, seine, net, weir or other fishing appliance is used, set, placed or located, and so on.

That is all right enough. That is what a fishery is understood to mean, but then the definition goes on to say in the last two lines:

And also the pound, seine, net, weir or other fishing appliance used in connection therewith.

That is not a correct description. For instance, the fishing appliance used in connection with this fishery might be a hook and line, and you could not describe it as a fishery. I think the last two lines should be stricken out.

Hon. Mr. LOUGHEED—Why?

Hon. Mr. POWER—Because a seine, net or weir or a fishing hook and line are not fisheries. They are fishing instruments but not fisheries.

Hon. Mr. DANIEL—It says the locality or place where these are used.

Hon. Mr. POWER—That is all right; that is the first part of it; I refer to only the last two lines.

Hon. Mr. LOUGHEED—I suggest that this should stand until we go through the Bill, and then we will see its application. I do not know at the moment wherein is its application.

The clause was adopted.

On clause 5, relating to appointment of fishery officers exercising the powers of a justice of the peace.

Hon. Mr. POWER—That is a rather extensive power, and it is doubtful whether it should be the law that every fishery officer should be authorized by the Government to exercise such powers. There is some question as to the wisdom of that.

Clause 5 was adopted.

On clause 5, subclause 3, as to appointment of fishery guardians.

Hon. Mr. POWER—Those are new officers?

Hon. Mr. MURPHY—Those are not new.

Hon. Mr. POWER—They are new in the law; they may not be new in practice.

The subclause was adopted.

On clause 21:

Hon. Mr. BOYER—What is the idea of paying for a lobster license at the rate of $5 for the first 4,800 lb.? What is the idea of the 800 lb.?

Hon. Mr. LOUGHEED—I could not tell you that, except that you pay for practically what you get.

Hon. Mr. MURPHY—The idea is to make up the even number of cases: 48 lbs. of lobsters to a case, so that gives 480 cases. Practically one cent a case is what you have to pay for license to pack them. That is where the 800 lbs. come in.

The clause was adopted.

On clause 27:

Hon. Mr. MURPHY—There seems to me considerable objection to this clause. I do not see why the owner of a lobster factory should be compelled to gather eggs for the Dominion of Canada without compensation. Besides, this clause is absolutely impossible to enforce. The law now forbids the taking of the spawn or seed lobsters, and this would seem to imply that you can take the spawn off the lobster, and can the lobsters. It seems to me that there is an ellipsis somewhere between that clause and the clause that is left out, or has the Government, by Order in Council, the right to direct the taking of spawn lobsters? I do not see any clause in the present Bill forbidding the taking of spawn lobsters; the only point is that the owner of the factory shall gather the seed lobsters and save them on the order of a person appointed by the minister, and he is supposed to do that without any recompense. It is going a considerable distance to expect the owner of a lobster factory to act as general philanthropist for the people of Canada; the clause is absolutely impossible of enforcement unless you put a man standing at the lobster factory.

Hon. Mr. LOUGHEED—This is the old law; we go back to 58 and 59 Victoria, chap. 58. My hon. friend will find this enacted also word for word in the revised statutes, section 42. I fancy it is one of those powers vested in the minister which may be invoked, but which is never invoked without good reason. If my hon. friend knows of its having been subject to any abuses I would be very glad to direct the attention of the department to it, but it has been in force for many years.

Hon. Mr. MURPHY—There is only this, that it will be foolish to enact a statute that is impossible of enforcement; it is only

bringing the law into contempt. That clause has never been enforced. Where they have hatcheries they gather up the spawn and give compensation for the gathering of it. The fact is that that clause as it stands never was enforced and never will be enforced, because it is impossible.

Hon. Mr. DANIEL—There is nothing in this clause that requires that the lobster seed shall be handed over to the minister without compensation. I have not the slightest doubt that, if at any time the fishery authorities or the minister wishes to obtain lobster eggs from seed in this way, they will be very glad to pay the factory people who help them by getting those eggs, and that the fishermen will be very glad to dispose of them in that way. When I was a member of the Fishery Committee in the House of Commons some years ago, this matter was discussed there, and the method of gaining the seed in this way was quite approved of by all those who were interested, and appeared to have a knowledge of the business. I do not think the clause compels those people to do anything that they would not be quite willing and probably glad to do, because the action of the Government in carrying on these hatcheries, benefits the fishermen as much as it benefits the public; they have an opportunity of catching and therefore of selling more fish. It is all to the advantage of both the public communities and those engaged in the fisheries.

Hon. Mr. MURPHY—We quite understand that. Of course, this clause only takes the authority for the minister to order that those eggs be preserved, but I fail to see where they are going to get the eggs. However, as the clause is an old one it will do no harm to perpetuate it.

The clause was adopted.

On clause 29.

Hon. Mr. BOSTOCK—Was any change made in this clause?

Hon. Mr. LOUGHEED—Yes, it replaces or rather enlarges upon section 44 of the old Act. As the law now stands, before the department can secure a conviction it is necessary for it to establish, as a preliminary fact, that the fish were caught at a time or in a manner prohibited by law, thus rendering it necessary for the department to produce some person who has really seen the fish caught illegally, before the person holding the fish can be convicted. In regard to the conviction for illegally taking lobsters, unless the Government can produce some one who saw the illegal taking of the lobsters, we cannot convict the offender. The new law makes the possession of lobsters in the close season, itself, an offence. This is a condition of different game laws, and it is absolutely necessary in order to enable the Government to control the fishing season, particularly in the lobster fishing. I think the provision is a very desirable one.

Hon. Mr. MURPHY—The necessity of this provision was very much in evidence last year. It was almost impossible to obtain a conviction. You could see these people coming from the fishing grounds; you could catch them on the shores with the lobsters in their fishing boats, and as the law stood it was impossible to convict them. You would have to see them taking the lobsters out of the water into the boat before you could convict them. That clause is necessary for the enforcement of the law.

(The clause was adopted.)

On clause 31.

31. Every slide, dam or other obstruction across or in any stream where the minister determines it to be necessary for the public interest that a fish-pass should exist, shall be provided by the owner or occupier with a durable and efficient fish-way, or canal around the slide, dam or other obstruction, which shall be maintained in a good and effective condition by said owner or occupier, in such place and of such form and capacity as will in the opinion of the minister satisfactorily permit the free passage of fish through the same. R.S., s. 46.

Hon. Mr. LOUGHEED—There is a change in this clause. Provision is made for making a canal around the dam through which fish may pass instead of building a fish-way through the dam. The former course was found the best, depending on local conditions.

Hon. Mr. BOSTOCK—Does that mean the Government officers can go and make the canal?

Hon. Mr. LOUGHEED—It should be done under Government supervision.

The clause was adopted.

On clause 31, sub-clause 6.

6. Where unused slides, dams, obstructions, or anything detrimental to fish exist, and the

owner or occupier thereof does not after notice given by the minister, remove the same or the owner is not resident in Canada, or his exact place of residence is unknown to the minister, the minister may, without being liable for damages, or in any way to indemnify the said owner or occupier cause said slide, dam, obstruction, or thing detrimental to fish life to be removed or destroyed, and in cases where notice has been given to the owner or occupier, may recover from said owner or occupier the expense of so removing or destroying the same.

Hon. Mr. LOUGHEED—There is a change in this sub-clause, giving the minister power to remove old dams without the Government being liable for damages. It sometimes happens a dam is deserted, and it is not open, and under the Act as it stands at present, if the Government removes the dam it would be liable for damages.

Hon. Mr. POWER—That is a most necessary provision.

The clause was adopted.

On clause 42.

12. In the provinces of British Columbia, Manitoba, Saskatchewan and Alberta, the Northwest Territories and the Yukon Territory, every ditch, channel or canal constructed or adapted for conducting water from any lake, river or stream, for irrigating, manufacturing, domestic or other purposes, shall be provided at its entrance or intake with a fish guard or a metal or wire grating, covering or netting, so fixed as to prevent the passage of fish from any lake, river or stream into such ditch, channel or canal. 9-10 Ed. VII., c. 20, s. 9.

2. Such fish guards shall have meshes or holes not more than three-eighths of an inch in diameter, and shall be built and maintained by the owner of such ditch, channel or canal, subject to the approval of the minister or of such officer as he may appoint to examine it. 9-10 Ed. VII., c. 20, s. 9, ss. 2.

3. The owner of such ditch, channel or canal shall maintain such fish guard in a good and efficient state of repair, and shall not permit its removal except for renewal or repair, and during the time such renewal or repair is being effected the sluice or gate at the intake or entrance shall be closed, and the passage of fish into the ditch, channel or canal prevented. 9-10 Ed. VII., c. 20, c. 9, ss. 3.

Hon. Mr. BOSTOCK—I observe by this clause that when you come to the question of penalties they do not seem to apply to British Columbia. Is there any other arrangement about enforcing the law in British Columbia? If the hon. gentleman looks at clause 74, as to penalties, the word British Columbia is left out.

Hon. Mr. LOUGHEED—There is probably a good reason for that, because in those provinces there is distinction drawn from the other provinces. I shall get the information for my hon. friend.

Hon. Mr. BOSTOCK—Is there any provision under the provincial law for the penalties?

Hon. Mr. LOUGHEED—Really, I could not say that.

Hon. Mr. BOSTOCK—This deals with the fish guards, the protecting of the fish at the entrance of a river. Has the department come to any decision as to what is a practical time to have fish guards placed at the head of the irrigation ditches or dams; because I know from practical experience that there has been a great deal of trouble in regard to fish guards. The fishery officers appear to have no special time of year they can recommend, and they put in an irrigation net, and the result was that the fish were washed up against the net, and it killed more fish than if they were carried down the irrigation ditch.

Hon. Mr. LOUGHEED—I have no information about that.

Hon. Mr. BOSTOCK—The water rushing down against the nets puts them into it.

Hon. Mr. MURPHY—It should be twine. If you use twine for the mesh it would obviate the difficulty.

Hon. Mr. BOSTOCK—I do not understand how the fish would be any better off, if the nets were made of twine. It is the force of the water rushing against the obstruction that holds them against it, and they cannot get away from it, and are killed. It does not matter whether the net is made of twine or any other material.

Hon. Mr. MURPHY—If they were not killed at the first impact they would very soon get away. The water would not be so strong that they could not swim against it.

The cause was adopted.

On clause 43.

43. No one shall catch, fish for, take, buy, sell, possess or export any fish for the purpose of converting it into manure, guano, or fertilizer, or for the manufacture or conversion of such fish into oil or manure or other fertilizing product, except under authority of the minister; but the minister may by notice published in the Canada Gazette, except any kind or kinds of fish from the operation of this section or any

part of this section, and may at any time by a notice similarly published, withdraw such exception.

Hon. Mr. POWER—That is new. It does not seem to me a proper thing that even a minister should allow a fish to be caught for the purpose of being used for manure. The time of day for that has passed.

Hon. Mr. LOUGHEED—I fancy that power is given to the minister to correct some of the abuses which have arisen in British Columbia in connection with the rejected fish from the canneries. Probably the hon. gentleman from Yale will know.

Hon. Mr. POWER—This clause is merely authorizing parties to use fish for manure.

Hon. Mr. LOUGHEED—No, it prohibits such being done except by the authority of the minister. There may be such a catch of fish or something akin thereto as to render it desirable that they should be used for that purpose, and yet at the same time it would not be desirable to give the parties authority to bring about such a condition. It might result in a very serious abuse, so it simply allows it to be regulated by the minister.

Hon. Mr. MURPHY—I understand why that provision should be there. Down with us, a large amount of herring is caught and used for bait purposes. They are salted lightly, and sometimes a large quantity is left over, which is unfit for human food. If that clause were put in there, without giving the minister authority to permit of this being used as manure, I do not know what would be done with it. Where there is a large catch of herring at the end of the fishing season, a certain amount is held over and spread on the land for manure.

Hon. Mr. THOMPSON—Under the conditions the hon. gentleman has referred to, I do not think that they would apply to the minister before using fish of that kind for the purpose of manure.

Hon. Mr. MURPHY—No, but he would wink at it.

Hon. Mr. BOSTOCK—There was a factory started in British Columbia for the purpose of catching dog fish for making into manure, and I presume under the old Act there was a regulation that people could catch dog fish without permission from anybody. It may have been under the working of that practice that some abuse arose, and it was considered advisable that the matter should be brought under the control of the minister.

Hon. Mr. LOUGHEED—It could do no harm to leave it there.

The clause was adopted.

On clause 44.

44. No one shall throw overboard ballast, coal ashes, stones, or other prejudicial or deleterious substances in any river, harbour or roadstead or any water where fishing is carried on, or throw overboard or let fall upon any fishing bank or ground, or leave or deposit or cause to be thrown, left or deposited, upon the shore, beach or bank of any water or upon the beach between high and low water mark, inside of any tidal estuary, or within two hundred yards of the mouth of any salmon river, remains or offal of fish, or of marine animals, or leave decayed or decaying fish in any net or other fishing apparatus; provided that such remains or offal may be buried ashore, above high water mark, and that at establishments situated inside the mouths of rivers for carrying on deep-sea fisheries, the same may be dropped into perforated boxes or inclosures built upon the beach, or under stage-heads, in such manner as to prevent the same from being floated or drifted into the stream, or may be disposed of in such manner as any fishery officer prescribes. R.S., s. 53.

2. No person shall cause or knowingly permit to pass into or put or knowingly permit to be put, lime, chemical substances or drugs, poisonous matter, dead or decaying fish, or remnants thereof, mill rubbish or sawdust or any other deleterious substances, in any water frequented by fish. R.S., s. 52.

Hon. Mr. LOUGHEED—I propose to move an amendment to subclause 2 of this clause, after the words 'deleterious' as follows:—

Substance or thing, whether the same is of a like character to the substances named in this section or not.

The amendment was agreed to, and the clause as amended was adopted.

On clause 48.

48. Any fishery officer, fishery guardian or peace officer may arrest without warrant a person whom he on reasonable and probable grounds, believes to have committed an offence against this Act, or any regulation made thereunder or whom he finds committing or preparing to commit an offence against this Act or any such regulation.

Hon. Mr. LOUGHEED—This is new. It has been found that officers often find masked men and others who are unknown to them fishing, and having no warrant to arrest them, the offenders escape.

Hon. Mr. BOSTOCK—This will give the officers very wide powers.

Hon. Mr. POWER—As my hon. friend says, this clause proposes to give very wide powers to the officers mentioned. I do not so much object to the fishery officer or

the peace officer having such power. The fishery officer is supposed to be a more or less responsible and intelligent officer, and the peace officer is supposed to have some experience in such cases, but to authorize a fishery guardian, who will be naturally not very much of a man, as a rule, to arrest without warrant a person he believes to have committed an offence against this Act is going too far altogether. I do not think a fishery guardian should be allowed to arrest a man without a warrant.

Hon. Mr. ROSS (Middleton)—He has to do it on reasonable or probable grounds.

Hon. Mr. MURPHY—And then he cannot do anything after he has arrested the man, unless he can prove something.

The clause was adopted.

On clause 50.

50. Every one who resists or wilfully obstructs any fishery officer or fishery guardian in the execution of his duty, or any person acting in aid of such officer or guardian, is guilty of an offence punishable on indictment or on summary conviction, and liable if convicted on indictment to a term not exceeding two years imprisonment, and on summary conviction to a term not exceeding six months imprisonment with hard labour or to a fine of one hundred dollars.

Hon. Mr. POWER—This clause is connected with clause 48, which authorizes a fishery guardian to arrest, without warrant, a man whom he supposes or believes he has reasonable or probable grounds for arresting. This clause provides that every one who resists or wilfully obstructs a guardian, under such circumstances, is guilty of an offence and liable to imprisonment for a term of three years or to a fine of $100. That is an excessive penalty for the offence. Suppose that a man really has not been guilty of any offence of the law, and an ignorant fishery guardian attempts, to arrest him without warrant, and this man does what a man naturally would do —hits from the shoulder—he is liable to three years imprisonment, or a fine of $100.

Hon. Mr. LOUGHEED—I do not think it is anything more drastic than the municipal laws which protect policemen in the discharge of their duties. It is practically the same law; that is to say, there must be a resistance and a wilful obstruction of an officer in the performance of his duty. There must be some overt act before the clause comes into operation.

The clause was adopted.

On clause 56, giving certain officers powers of a justice of the peace without property qualification.

Hon. Mr. POWER—This clause does not seem to apply to an officer in the Canadian navy. The term 'His Majesty's Navy' is generally supposed to apply to the Royal Navy.

Hon. Mr. LOUGHEED—My hon. friend overlooks the fact that we have vessels which are designated His Majesty's Navy.

Hon. Mr. MURPHY—They are all His Majesty's ships.

Hon. Mr. DANDURAND—Does not the Navy Act specially give the title to our navy of the Royal Canadian Navy? Until that Act is repealed it is in force.

Hon. Mr. LOUGHEED—It is the only defence we have yet. I shall look into the matter before the third reading.

The clause was adopted.

On clause 63, providing that boats must be furnished with necessaries for their own crews when on fishing cruises.

Hon. Mr. MURPHY—Last year I called attention to the manner in which the steam trawlers are depleting our fisheries. There is some protection against them on the shore of Cape Breton and Nova Scotia, but there is none on our coasts, and they will deplete our waters as they depleted the North Sea. There were two of these steam trawlers around our shores last year. During the day they kept outside of the three-mile limit, but at night they came inside, raked the whole bottom, and cleaned out the fish. We have no protection from them, and so far as our province is concerned we cannot be protected unless we have an international agreement to that effect. They can keep outside the three-mile limit and fish anywhere in the gulf of St. Lawrence, destroying our fisheries. Some steps should be taken to prevent the depletion of our fisheries. A three-mile limit is no protection against them. We go six miles out with our lobster boats. You can not enforce the Act relating to lobster fishing beyond the three-mile limit; strangers may fish outside the limit when our own fishermen are precluded. Some effort should be made by the Government of Canada to have these steam trawlers regulated in some way, because they are markedly destructive in their methods. They take in all kinds of fish, select those that they want, and throw the rest into the sea. I

am told by the member from Antigonish that last year they did the same thing off the coast of Cape Breton that they are doing with us. I have brought this matter to the attention of the leader of the Government in this House; I would request him to bring it before the Government; I shall this year endeavour to bring it to the attention of the Minister of Marine and Fisheries.

Hon. Mr. BEIQUE—Is this a reproduction of the old Act?

Hon. Mr LOUGHEED—Yes, I propose to move a subclause to be known as section 3 of section 63.

Hon. Mr. BEIQUE—It seems to be permitting something that should be prohibited.

Hon. Mr LOUGHEED—This clause was taken from section 70 of revised statutes chap. 45, but I propose moving that there be a subclause reading as follows:

No collector or other customs officer shall grant a clearance to such vessel or allow her to go to sea unless the master thereof has a certificate from the fishery officer or some other person authorized by the minister to give such certificates; that the vessel is properly equipped with a mariner's compass, suitable utensils for holding water for each boat carried by her, and with a serviceable fog-horn or trumpet.

Hon. Mr. POWER—A good thing.

Hon. Mr. BEIQUE—Are we to understand that provided they carry the instruments, they are allowed to really do what is mentioned in the first part of clause 63?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BEIQUE—How is this kind of fishing regulated in this Bill?

Hon. Mr. LOUGHEED—It is regulated under Government regulations. Those boats shall not go out unless they are provided as in subclauses 2 and 3. It is for the protection of life and property that this is done.

Hon. Mr. POWER—This clause is taken out of a Bill which was passed by this House some years ago. Hon. gentlemen particularly from Prince Edward Island know that nearly every year we have a melancholy tale of fishermen who put out from those cod fisheries on the banks, and get lost in the fog, and in a great many cases perish from just the want of the things that are mentioned in this clause.

Hon. Mr. MURPHY—Hear, hear, it is a good clause.

Clause 63 with subclause 2, and the new subclause 3 was adopted.

On clause 74.

Hon. Mr. BOSTOCK—Can the hon. leader of the Government give me any explanation why there is nothing said about British Columbia in this penalty clause?

Hon. Mr. LOUGHEED—We shall allow that to stand over.

On clause 76.

Hon. Mr. POWER—Does not the minister propose to insert those words 'other substances' in this clause as in one of the earlier ones? In clause 44 we inserted the words 'other substances.' This clause deals with the penalty for committing the offence mentioned in clause 44, so those words should be inserted here also.

Hon. Mr. LOUGHEED—Yes; it would have been better if it had simply mentioned the clause instead of repeating the language.

Hon. Mr. POWER—The point is this, that in subclause 2 of clause 44, at the instance of the hon. gentleman we inserted certain words, after 'deleterious.' Now we are providing the penalty for this offence, and seems to me that we should use the same language as is used in describing the offence.

Hon. Mr. LOUGHEED—We should let clause 76 stand.

Hon. Mr. BEIQUE—I would invite the leader of the House to see what was the wording added to section 44. I appreciate the object; but the subclause is altogether too wide, it seems to me, to be covering everything.

Hon. Mr. LOUGHEED—I shall have that attended to.

The clause was allowed to stand.

On clause 79:

Hon. Mr. LOUGHEED—There is to be an amendment to this clause. I propose moving the following, to be known as subsection 3:—

The owner and master of such vessel which goes to sea or attempts to go to sea without first obtaining and exhibiting to the collector or other proper customs officer a certificate from the fishing officer or other officers authorized by the minister to grant such certificate, that the vessel is properly equipped with a mariners'

compass and suitable utensils for holding water for each boat carried by her, and with a serviceable fog-horn or trumpet, shall each be liable and shall be guilty of an offence against this Act, and shall be liable therefor to a penalty not less than $100 and costs, or more than $200 and costs, or to be imprisoned for a term not exceeding six months.

Clause 79 with subclause 2 and the new subclause 3 was adopted.

On clause 88:

Hon. Mr. BOSTOCK—Can my hon. friend say what has been done about those regulations? Has any action been taken under them up to the present time?

Hon. Mr. LOUGHEED—At the instance of the United States Government this treaty has been held in abeyance from time to time, extending over a period of years in fact. My hon. friend will observe that the commission was appointed under the treaty signed at Washington on the 11th April, 1908, and shortly thereafter the commissioners representing the United States and Canada came together and adopted regulations, in fact a treaty. The Government of Canada accepted that treaty by virtue of an Act of Parliament, but the United States up to the present time has not ratified the treaty.

There have been communications of late looking to the United States accepting the treaty as defined or as agreed upon by the commissioners of the two Governments, but the Congress of the United States has been so influenced by the different fishing industries, particularly in the state of Michigan, that up to the present time that Government has failed to agree to the treaty, and the probabilities are that the treaty will not be assented to.

The clause was adopted.

On clause 89:

89. Except in so far as in this Act is otherwise specially provided all penalties and forfeitures incurred under this Act or under any regulation made thereunder shall be recoverable and enforceable by summary proceedings taken under the provisions of part XV of the Criminal Code.

Hon. Mr. ROSS (Middleton)—Clause 89 works in with the latter part of clause 93. Clause 89 says these penalties may be recoverable by summary proceeding taken under the provisions of part 15 of the Criminal Code. Part XV of the Criminal Code was meant as a standard form of collecting fines and penalties, and contains full provisions for it, and so on. It says that you may recover the penalty and enforce it under Part XV, but when you come to clause 93 it says:

Nothing in this section contained shall prevent any person who thinks himself aggrieved by any such conviction or order or dismissal, the prosecutor or complainant as well as the defendant, from any right of appeal that he may have under the provisions of Part XV of the Criminal Code.

We should add to clause 89 the words 'all the provisions of which will apply thereto,' in order to give the man the benefit of the appeal, as well as the liability of being subject to a fine. Clause 93 says nothing will take it away from him if he has it.

Hon. Mr. LOUGHEED—Let that clause stand with the suggested amendment.

The clause was allowed to stand.

On clauses 91 and 92:

91. A moiety of every pecuniary penalty levied by virtue of this Act shall belong to His Majesty, and the other moiety shall be paid to the prosecutor, other than a fishery officer or fishery guardian, together with the costs taxed to him in respect thereof. R.S., s. 101.

92. His Majesty's share of each penalty and all proceeds derived from the sale of confiscated articles under this Act, shall be paid to the Minister of Finance, and be applied towards the expenses incurred for the protection of the fisheries. R.S., s. 102.

Hon. Mr. LOUGHEED—I propose to strike out these two clauses and insert the following:

The Governor in Council may prescribe the manner in which the proceeds of the penalty and the proceeds of the sale of confiscated articles shall be distributed.

Hon. Mr. POWER—What is the reason for the change? Clause 91 is a very judicious clause, and it is in the present law.

Hon. Mr. LOUGHEED—It might not be desirable that the moiety should go to the informer, as indicated in clause 91. The prosecutor may be an officer of the Government, and probably will be an officer of the Government. It may be very questionable as to whether it is desirable that that officer should be entitled to half of the fine.

Hon. Mr. POWER—This provides that a moiety of every pecuniary penalty shall belong to His Majesty, and the other moiety shall be paid to the prosecutor, other that the fishery officer or fishery guardian. That has been the law for a great many years.

Hon. Mr. MURPHY—And a very good law too.

Hon. Mr. POWER—It seems to me this policy of leaving everything to the Governor in Council is a doubtful one, in a case of this sort.

Hon. Sir MACKENZIE BOWELL—It is absolutely necessary that the provision as to the distribution of the fines and penalties should be made so clear that every one will understand it, and it is an incentive to the officer to see that the law is enforced. We found it a great advantage in the customs law. An attempt was made to change the system of moiety, and the result was the non-enforcement of the law respecting the customs in the liquor trade. I would suggest to my hon. friend not to change that. It would be much better that the penalty system should be distinct and clear. I have had long experience in these matters in Canada; in the enforcement of the laws of the United States they found it necessary to revert back to the old system.

The clauses were allowed to stand.

On clause 63.

63. No dory, flat, whaler or other boat whatsoever shall set out from any vessel engaged in deep-sea or bank fishing or be launched therefrom for the purpose of fishing with hooks and lines, trawls or other similar appliances, or with intent that the same shall be used in so fishing, or for the purpose of examining trawls, set lines or other similar appliances for fishing, unless there is placed in such boat, to be retained therein during absence from such vessel, a mariner's compass, nor unless there is placed in such boat at least two quarts of drinking water and two pounds of solid food for each man of the crew of such boat.

(2) The owner of such vessel shall supply her at the commencement of her voyage with as many serviceable mariner's compasses, as she carries boats, in addition to the vessel's compass and also with the necessary utensils for holding water and with a serviceable fog-horn or trumpet.

Hon. Mr. BEIQUE—Turning back to clause 63, may I ask what kind of fish is intended to be caught, or may be caught, on the bank mentioned in that section, with the trawl?

Hon. Mr. MURPHY—Codfish.

Hon. Mr. BEIQUE—No salmon?

Hon. Mr. MURPHY—Salmon are never caught on trawlers, but codfish, halibut and deep sea fish are.

Hon. Mr. LOUGHEED—Going back to clause 56 my hon. friend from Middleton (Hon. Mr. Ross) has looked up an expression used in the Act and he finds that 'His Majesty's Navy' is the correct designation.

On clause 2.

Hon. Mr. ROSS (Middleton)—Referring to the wording of this clause you described the location; if it is a stream or pond, and if you put the net or seine in the stream or pond, then the particular locality plus the seine or net, would constitute your fishery.

Hon. Mr. POWER—My objection to the use of the expression is this. It is the rule in statutes that words are used in the ordinary meaning because ordinary common people read the statutes, and words should not be used in an unusual sense. Now no one in ordinary conversation would speak of a net, fishing line or hook as a fishery. The fishery is the place where these things are used, and it is a great mistake to employ the term as it is used there.

Hon. Mr. ROSS (Middleton)—That is why you have the statute—the statute says it is a fishery, otherwise it would not be.

Hon. Mr. POWER—My contention is that to use a word in the statute in a sense in which it is not used outside of the statute, is likely to cause confusion.

Hon. Mr. ROSS—(Middleton)—But you would not need a statute at all if it was so used.

Hon. Mr. POWER—A hook and line is a fishing appliance, and to describe any of these things as a fishery is an abuse of the term.

Hon. Mr. LOUGHEED—The hon. gentleman is omitting the last four words:—'Used in connection therewith'.

Hon. Mr. BOLDUC, from the committee, reported that they had made some progress with the Bill and asked leave to sit again.

SECOND READINGS.

Bill (Y-2), An Act respecting The Canadian Northern Ontario Railway Company, and to ratify and confirm its purchase of a portion of the property of the Carillon and Grenville Railway Company.—Hon. Mr. McHugh.

Bill (Z-2), An Act to incorporate the Title Insurance Company of Canada.—Hon. Mr. Taylor.

Bill (A-3), An Act respecting certain patents of the F. N. Burt Company, Limited. —Hon. Mr. Kerr.

VANCOUVER HARBOUR COMMISSIONERS ACT AMENDMENT BILL.

IN COMMITTEE.

The House resumed in Committee of the Whole consideration of Bill (128), An Act to incorporate the Vancouver Harbour Commissioners.

(In the Committee.)

Hon. Mr. LOUGHEED—In answer to a question asked by the hon. member from Halifax I am informed that there has been no disposition of the lands that were vested in the Commissioners. They have not dealt with any of them.

Hon. Mr. TALBOT—From the committee, reported the Bill without amendment.

VOUCHERS FOR SENATE ACCOUNTS.

The SPEAKER submitted the correspondence between the Auditor General and the Clerk of the Senate relating to vouchers for Senate accounts.

Hon. Mr. POWER moved that the correspondence be referred to the Standing Committee on Internal Economy and Contingent Accounts.

Hon. Mr. LOUGHEED—I would point out to the House and particularly to my hon. friend from Halifax, that a recommendation has been made by His Honour the Speaker as to the appointment of an accountant. That nomination is before the House at the present time. I am unaware of the Internal Economy Committee, to which I believe it was referred, having reported upon it; and it seems to me that this should be done. If that recommendation has been referred to the Internal Economy Committee, that committee, it seems to me, should report to the House upon that particular appointment. That would relieve the necessity of considering the letter of the Clerk of the Senate, and would remove the difficulty.

Hon. Mr. POWER—It is true that the question of the appointment of an accountant has been referred to the Committee on Internal Economy and that committee appointed a sub-committee—I suppose it is not a breach of privilege to mention that fact—who are preparing a report to submit to the General Committee, and I understand that the Chairman of the Committee on Internal Economy proposes to summon it, probably the day after to-morrow. I think that it is better that this communication should be before the committee along with the Speaker's recommendation.

Hon. Mr. LOUGHEED—I am not opposing that, but simply suggesting that some action be taken upon the recommendation of His Honour the Speaker.

BILLS INTRODUCED.

Bill (70), An Act respecting Trust Companies.—Hon. Mr. Lougheed.

Bill (83), An Act respecting Loan Companies.—Hon. Mr. Lougheed.

Bill (93), An Act respecting the Prince Edward Island and Hastings Railway Company.—Hon. Sir Mackenzie Bowell.

Bill (109), An Act to amend the Inspection and Sale Act.—Hon. Mr. Lougheed.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

Thursday, April 30, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILL INTRODUCED.

Bill (D-3), An Act to incorporate the General Council of the Canadian Branch of the St. John Ambulance Association.—Col. the Hon. Mr. Mason.

BANK FAILURES SINCE CONFEDERATION.

INQUIRY.

Hon. Mr. BOSTOCK inquired of the Government:

1. What are the names of the chartered banks that have failed since Confederation, and the dates in each case?
2. What was the amount of the authorized capital in each case?
3. How much of this was subscribed?
4. How much of this was paid up?
5. How many branches had each of them?
6. Where were they located?
7. What percentage under the double liability clause of the Bank Act were the shareholders called upon to pay in each case?
8. What steps if any were taken, and with what result, by the liquidator to enforce the payment of the double liability in each case?
9. What was the loss to the depositors, the note holders, and the stockholders, in each case?
10. Has the Government on any of these occasions come to the relief of the sufferers?

Hon. Mr. LOUGHEED—The statement furnished by the Department is as follows:

RETURN SHOWING NUMBER OF CHARTERED BANKS THAT HAVE

Name of Bank.	Date of Suspension.	Capital Stock at Date of Suspension.			No. of Branches.	Chief Office of Bank.
		Authorized.	Subscribed.	Paid up.		
		$	$	$		
Commercial Bank of New Brunswick	1868	.....	600,000	600,000	No information available.	St. John, N.B.
Bank of Acadia	April 1873	.....	500,000	100,000		Liverpool, N.S.
Metropolitan Bank	Oct. 1876	1,000,000	1,000,000	800,170		Montreal, P.Q.
Mechanics Bank	May 1879	1,000,000	243,374	194,794		Montreal, P.Q.
Bank of Liverpool	Oct. 1879	500,000	500,000	370,548		Liverpool, N.S.
Consolidated Bank of Canada	Aug. 1879	2,400,000	2,091,900	2,080,920		Montreal, P.Q.
Stadacona Bank	July 1879	1,000,000	1,000,000	991,890		Quebec, P.Q.
Bank of Prince Edward Id.	Nov. 1881	.....	.....	120,000		Charlottetown, P.E.I.
Exchange Bank of Canada	Sept. 1883	500,000	500,000	500,000		Montreal, P.Q.
Maritime Bank of Dominion of Canada	Mar. 1887	2,000,000	321,900	321,900		St. John, N.B.
Pictou Bank	Sept. 1887	500,000	500,000	200,000		Pictou, N.S.
Bank of London in Canada	Aug. 1887	1,000,000	1,000,000	241,101		London, Ont.
Central Bank of Canada	Nov. 1887	1,000,000	500,000	500,000		Toronto, Ont.
Federal Bank	Jan.30,1888	1,250,000	1,250,000	1,250,000		Toronto, Ont.
Commercial Bank of Manitoba	June 1893	2,000,000	740,700	552,650		Winnipeg, Man.
Banque du Peuple	July 1895	1,200,000	1,200,000	600,000		Montreal, P.Q.
Banque Ville Marie	July 1899	500,000	500,000	479,620		Montreal, P.Q.
Bank of Yarmouth	Mar. 1905	300,000	300,000	300,000		Yarmouth, N.S.
Ontario Bank	Oct. 1906	1,500,000	1,500,000	1,500,000		Toronto, Ont.
Sovereign Bank	Jan. 1908	3,000,000	3,000,000	3,000,000		Toronto, Ont.
Banque St. Jean	April 1908	1,000,000	500,000	316,386		St. Johns, P.Q.
Banque St. Hyacinthe	June 1908	1,000,000	504,600	331,235		St. Hyacinthe
St. Stephens Bank	Mar. 1910	200,000	200,000	200,000		St. Stephens, N.B.
Farmers Bank	Dec. 1910	1,000,000	584,500	567,579		Toronto, Ont.

No Government aid granted to any of above, except in case of Farmers Bank, in

Hon. Mr. LOUGHEED.

GONE INTO LIQUIDATION SINCE 1867, AND PARTICULARS AS TO SAME.

Double Liability called up and paid.	Steps taken by Liquidator to enforce.	Amount Paid to		Amount paid to Shareholders.	—
		Note Holders.	Depositors and Creditors.		
.....	No Reports to Departments.	100%	100%	No Reports to Department.	
.....		.....	50%		This bank in existence 26 days. Government received 25 cts. on dollar for notes held. Public nothing.
.....		100%	100%		
.....		57½%	57½%		
.....		100%	96¼%		
.....		100%	100%		
.....		100%	100%		Liquidation voluntary.
.....		.....	59½%		Notes redeemed at from 30 to 60 cents on the dollar.
.....		100%	66⅔%		
.....		100%	10¾%		
.....		100%	100%		Liquidation voluntary.
.....		100%	100%		Liquidation voluntary.
.....		100%	99¾%		
.....		100%	100%		Liquidation voluntary.
.....		100%	100%		
.....		100%	75¼%		
All called up. 90% paid. $30,000 of double liability settled.....		100%	17½%		
.....		100%	100%		
$802,356 realized on call of double liability.....		100%	100%		Taken over by Bank of Montreal, who had guarantee of other banks.
Affairs still unsettled.		10-%	100%		
.....		100%	Not settled.		
.....		100%	90% paid; not finally settled		Liquidation voluntary.
.....		100%	100%		
.....		100%	Not settled.		

which the granting of aid proposed is now before Parliament.

MONTREAL, OTTAWA AND GEORGIAN BAY CANAL.

MOTION.

Hon. Mr. CASGRAIN moved:

That an Order of the Senate do issue for the production of all proposals submitted to the Government for the construction of the Montreal, Ottawa and Georgian Bay canal, and all the correspondence relating thereto.

He said: I spoke at very considerable length on this question some time ago in this House. This is simply a motion for papers, and it is not now necessary for me to make a speech. I may, however, take occasion to say that there does not seem to be much desire at the present time on the part of the Administration to go on with this work. They seem to dodge the question by appointing a commission. One of the commissioners is now away in Europe and it is certain that we will skip this session before we have their report on the question. When it was a question of going on with the construction of the Welland canal, there was no hesitation about that, and no question of appointing a commission. The Administration has undertaken the work of building a very expensive canal supplementing and nearly parallel to the Welland. What will be the effect of it when the work is completed? It will facilitate the carrying of freight to Oswego, and I know as a fact that there are people in the United States to-day who are prepared to give contracts for the construction of elevators at Oswego. A contractor that I know was asked if he would not tender for wharfs and elevators at Oswego, in order that the freight passing through the larger Welland canal might be taken to New York by that route, and away from the St. Lawrence route. That seems to be the primary object of constructing this new Welland canal. As for deepening the St. Lawrence canals to Montreal, it is not merely a case of making larger and deeper canals, but a case of making the whole river deeper in order to get a channel of twenty-five feet for considerable distances. However, the Government did not hesitate when they undertook the Welland canal. They wanted to please their supporters. They are getting a large support from western Ontario, but why try to deceive the people of this country by appointing a commission on the Georgian Bay canal? There have been commissions on the Georgian Bay canal from time to time for sixty years. There was one fifty years ago. To-day the idea is to appoint a Commission to find out, not if the project is feasible, not if it is the most direct route, not if it is a good project, but whether it will pay. One is Mr. Evans, a newspaper man, who has been mayor of Winnipeg, another is Colonel Meighan, an estimable young man in Montreal, a military man; I do not know if he understands much about transportation. He would be more useful assisting Colonel the Hon. Sam Hughes organizing the militia of the country, than investigating this question. Unless he is required to plan how the militia could be taken to the upper lakes via the canal, I do not see that he can be of much service on a commission of this kind. Then we have Mr. Gohier, a very good man. He was an unsuccessful Conservative candidate in the county of Jacques Cartier which, by the way, is vacant again: perhaps he might have a try there once more. He will not help himself if he reports against the Georgian Bay canal. I am informed that proposals have been made to the Government to build this canal without asking the people of this country to put up one cent. I am informed that there are reliable parties who command large capital willing to go into this enterprise and build the canal themselves, expecting to find a good return from their money by the development of the magnificent water-powers at various points along the route. Therefore it would be well if the Government would accede to this motion, and bring down the proposals which have been made to the Government; and I think it would be shown that there are people who are willing to carry on this enterprise without in any way burdening the taxpayers of this country.

Hon. Mr. DERBYSHIRE—What about the flying machine that has been talked of which is to be a competitor of this route for the carrying trade?

Hon. Mr. EDWARDS—It is unnecessary to take up the time of this House with what, as my hon. friend says, has been a live question for a great many years, but as an Ottawa river man, being familiar with the conditions, I sincerely hope, in the best interests of Canada. that the commission which has been appointed will keep in session for the next fifty years, because, next to the Hudson Bay railway, of all the fake schemes Canada has had before it the construction of the Georgian Bay canal would, in my opinion, be the worst. The St. Lawrence route is the

natural route to the sea, and the Government have done wisely to further improve that route rather than to undertake the construction of an impossible route. The Ottawa is relatively a small river, a great river it is true, but nothing to compare with the St. Lawrence. In measured miles it is the shortest route from the upper lakes to the sea, but in time and cost the Welland canal route is by all means the cheaper and shorter route. I have studied this question thoroughly, and I say there is only one class of people in Canada to whom the Georgian Bay canal would be useful—the lumbermen and the contractors engaged to build the canal. If there are any financial people in Great Britain or Canada who are disposed to take up with this fake scheme, I recommend the Government to preserve them from the loss of their money, because that is all that would occur from the construction of this canal. Now I will explain in a few words why this canal would benefit the lumbermen. The coming great industry of the Ottawa river is pulpwood and paper. It is not economical to bring down the material out of which pulp and paper are made by floating the pulpwood down the river, but larger vessels than are now used on the Ottawa could be used profitably to bring down the pulpwood to be manufactured. The idea of grain going from the West by that route is a simple absurdity; shipments of grain and all similar commodities will follow the line of least resistance, and that line is down the St. Lawrence river or by railway. Now, this country has been committed to an enormous expenditure in the building of railways. The amount of money that would be required for the construction of this canal, if spent in the improvement of railway conditions, would be worth a hundred times more to the people of Canada than the canal. The construction of the canal would serve my interests as a lumberman, but as long as I hold a seat in Parliament I shall advocate that which is in the interests of the people of Canada, and there could be no more wild, unjustifiable scheme than the building of the Georgian Bay canal.

Hon. Mr. CLORAN—I have been during my short lifetime a resident of the Ottawa valley, and have the honour of being a representative of a very large municipality in that valley. I have been waiting twenty-five years to say what I am going to say now. Some twenty or twenty-five years ago, in company with an ex-member of Parliament and one of the most prominent contractors in the Dominion to-day, a friend of both parties—

An hon. GENTLEMAN—Mr. Jacques Barbeau?

Hon. Mr. CLORAN—No, a man too honest and upright to be with any party in power—I am speaking of W. J. Poupore. There were also connected with that scheme ex-Mayor McLeod-Stewart, of Ottawa, and his father before him. They devoted their time and money, as long as it lasted, to the work, and the suckers did not take the money from them to advance the building of the Georgian Bay canal. The hon. member from Russell did not go far enough back when he said that for the past 60 years reports had been made on this scheme. If he knows anything of the history of his country, he will know that the originator of the scheme was who?

Hon. Mr. CASGRAIN—Champlain.

Hon. Mr. CLORAN—Champlain. The member from De Lanaudière (Hon. Mr. Casgrain) knows his history; the senator from Russell does not. When Champlain entered the St. Lawrence and built the citadel on Cape Diamond, he did it in the interests of France. When he ascended to Montreal with Maisonneuve, and fixed on the site of the metropolis of Canada, he did noble work for France. When he ascended as far as where Lachine stands to-day and beheld the expanse of waters before him, he said that he had reached China, and therefore called the place Lachine. The fearless explorer was not yet satisfied. He ascended the Ottawa, long before the senator from Russell established his mill on its banks—before any of our multi-millionaire lumbermen, who got limits at a very small cost and charged a lot for the lumber they produced. Champlain explored the entire Ottawa as far as the lakes, and when he came back he reported to his Government that this was the natural route for the trade of the new country. He did not denounce it as a fake scheme, like my hon. friend from Russell, nor did he denounce it as a silly enterprise. From Champlain's time down to the McLeod Stewarts—and I believe one or two of the engineers of the Grenville and Rideau canals—little was said of that route. It was left to the lumbermen to be used for floating logs down to their mills.

But for the last seventy-five or eighty years the most prominent men in Ottawa and throughout the Ottawa valley have been urging each succeeding Government to construct the Georgian Bay canal. Were they advocating a fake? Is not the hon. gentleman from Russell ashamed of that word, in the face of that immense delegation that appealed to the Government last week to begin the construction of the canal? No room was large enough to receive that delegation, except the House of Commons itself. The House of Commons was packed from wall to wall, and the galleries from the wall to the railing; the corridors were filled with men practically on their knees to the Government, asking the Government, in the interest of the trade and development of Canada, to open up the Georgian Bay route. Yet in the face of that the hon. gentleman from Russell tells us that the whole thing is a fake. The blood of any man who is a Canadian must boil in his veins when he hears a project which has been commended by the early explorers of Canada, the business men, the farmers, and all having interests in the country, described as a fake; that the great delegations of citizens from all over the country were here on a mission to propagate a fake.

Hon. Mr. TALBOT—Fakirs?

Hon. Mr. CLORAN—There are fakirs in the country but not in that delegation. The Minister of Public Works admitted that the project was one which would be of incalculable benefit to Canada, and if he had his way it would be undertaken at once. But he said Canada has other projects to carry through before that canal can be touched. We have had Mr. Gerald White, M.P., declare that no matter what government was in power, he would give his support to that scheme, and Mr. Gerald White has been a life-long resident of this Ottawa valley, and connected with its trade and commerce. That sentiment is rebuked by the hon. member from Russell who calls the project a fake, who says that the Hon. Minister of Public Works is endorsing a fake endorsed by hundreds of delegates from all over the Dominion. I can tell the hon. leader of the Government here to-day that if instead of giving $45,000,000 to the two fakirs, Mackenzie and Mann, the Government would put that money into the Georgian Bay canal, his Government would remain in power the next fifteen years. I venture to say that there is no power in Canada that would shake them out of the ministerial benches, if they endorse this policy—and I am a good Grit.

Hon. Mr. YOUNG—Pretty expensive.

Hon. Mr. CLORAN—It is also expensive to give it to two fakirs; it would be cheap money to give it to an enterprise to facilitate trade and transportation. When I heard the hon. member from Russell state that the Georgian Bay canal was a silly enterprise I could not believe my senses. The term Georgian Bay canal is a misnomer; it is not a canal, it is an open river for seven months of the year. It is simply a series of locks from French river down to the Chaudière Falls, and if you want to get from here to Montreal you have rapids at Grenville, Hawkesbury, and Carillon. Then you go down through the Lake of Two Mountains and you have two outlets, one by what is known as the Back river, on which there would have to be a series of locks built. The other is on the south shore where the Lachine canal is already in operation, and the river is open. The Georgian Bay canal route is composed of a series of lakes, and on that stretch of several hundred miles from the Great Lakes to the port of Montreal fewer locks would be required than on the St. Lawrence route, including the Welland, the Cornwall, the Soulanges, and the Lachine canals. I am not against the St. Lawrence water route; it is necessary for the transportation requirements of the country. I am no more opposed to that route than I was opposed to the construction of the Grand Trunk Pacific or of the Canadian Northern, as feeders from the west to the east. There is traffic enough to-day for both routes, despite the little jealousies and suspicions of the Welland canal people and the country surrounding, and of the Trent valley mud pool, and so on. If there is traffic enough for the Grand Trunk Pacific, the Canadian Pacific and the Canadian Northern, there is enough for two navigation routes. That is as plain as a,b,c, to me; it is no silly enterprise whatever. The Georgian Bay route has the advantage of having little canal to go through, and having free open water from the first or fifteenth of April—more than we have around Ottawa—so that ships will simply have to take from 27 to 29 locks. That is what the Georgian Bay canal means. It does not mean a boat running along the canal for 8 or 10 or 12 miles; it simply means that the boat shall be jumped into

the lake from a higher level of water to a lower level. The number of locks needed is less than on the St. Lawrence route. On this broad expanse of water—Nipissing lake, French river, the Ottawa river, through Hawkesbury, right down to the Lake of Two Mountains—you have beautiful scenery, and fine air; the finest water reach that could be established in Canada. We are told by the hon. senator from Russell that this is a silly enterprise and a fake. He may say this now when he is a senator, but would not dare to say that when he was a member of the House of Commons for Russell. I defy him to get ten men in the Ottawa valley or in the country to endorse the opinion which he has expressed—I mean ten men of standing with a stake in the country, and with large transportation interests. As I understand, the heart of the Minister of Public Works is in this project, he knows it would be a benefit to Canada, if the Government did not have so many projects on hand on which to spend their millions, they would order the immediate commencement of this work. I am very sorry the Government should have instituted the commission, because if anything is a fake it is that commission of three men. Who are they?—a man named Gohier, a military man down in Montreal, and a newspaper man; to find out what? To find if the Georgian Bay canal would be a paying institution. Now, in God's name, how can you find that out until the results are in the hands of the statisticians of the Department of Trade and Commerce? Intelligent people of the country will come to the conclusion that the commission is a fake; I would be awfully sorry to believe that they would also conclude that the men who named them were fakirs too. I regret that the Government has taken this step, for it is intended simply to delay the question. The Government should not stoop to things of that kind, in the administration of the public affairs of a nation; it is too petty, too picayune to try and get out of responsibilities by putting them on the shoulders of a paltry commission of three men, no matter if they were the best men in the land. We here are powerless; I am powerless; all I can do is to voice the sentiments of myself and the people around me, which are the sentiments of the people of the future. These people will curse the Governments who neglected to build this route, just as some now curse the day when the men of the past did not undertake this work. All our great men have had their say in this matter; Sir Alexander Mackenzie was in favour of the scheme but had no money to carry it; Sir John Macdonald was in favour of it but he had the Canadian Pacific railway octopus in mind: our recent Prime Minister, Right Hon. Sir Wilfrid Laurier, had the scheme put before him, but he had his Transcontinental and naval schemes, and now we have Mr. Borden, and he has had his thirty-five millions for dreadnoughts; and not being able to give that money for dreadnoughts he gives it to two of the worst dreadnoughts of all, Mackenzie and Mann. There is the position; instead of the Government facing the situation like men, they cower, they put the responsibility off on a poor little commission that is paid ten, twenty-five, fifty, or one hundred dollars a day, and make the commission last as long as possible. As the hon. senator from Russell said 'he hoped to God it would last fifty years.' That is a very nice wish for a man having as large interests in the country and in the Ottawa valley as the hon. senator has. I say no, and I would ask the leader of the Government to urge his minister to have that commission report as soon as possible. The commission cannot learn what the future is going to give us; they can have no reliable information to offer Parliament, but simply surmises and suppositions—no actual information. I say the appointment of that commission is simply a hold-up of the scheme, and I hope before the next meeting of Parliament the Government will come down with a concrete plan for the construction of that canal; it would be the best plank they ever put in their platform. I have visited the villages and towns up the Ottawa river with my friend Ralph Stewart in years gone by, before the Boards of Trade in Montreal and Ottawa endorsed this scheme, and the people there were all willing and anxious to have this route built. I am sorry that my party did not have the courage when in power to tackle the scheme, but I am frank enough to say that if this Government comes down next session with a fair plan for the construction of this canal it will not lose any votes in the Ottawa valley or throughout the country.

Hon. Mr. BAIRD—This is a question of very great importance. I have always been opposed to the Georgian Bay canal because when built, it will be frozen up for seven

months of the year and will produce no revenue.

Hon. Mr. CLORAN—Why, it is open now, and the St. Lawrence is closed.

Hon. Mr. BAIRD—I am only talking of what it will be, not what it is now. It is estimated that this canal will cost somewhere around $200,000,000, but no one knows what it will cost; we have had experience of that in building the Panama canal. The cost depends on the soil and conditions of the country through which it is built. If it were solid rock the engineers could make a very careful estimate of the cost. As I say it will be frozen up about seven months of the year.

Hon. Mr. CASGRAIN—Five months. That is the report of the Government.

Hon. Mr. DERBYSHIRE—Let him make his statement, seven.

Hon. Mr. BAIRD—I have been in this country about as long as the hon. gentleman, I have worked out the whole thing, and I have some idea how long the time will be. I have said seven months, and I stand by it.

Hon. Mr. DERBYSHIRE—Stick right to it.

Hon. Mr. BAIRD—I do not believe a great many of the members of this House have ever considered what evaporation is doing in this country. Any man who has travelled through the woods as much as I have, or who has been out engineering or fishing, will readily see that all over this country, where forty years ago I built catamarans and floated them down the stream, to-day there is not a drop of water running. This is taking place all over the surface of this country, and any other country that is covered by forests. The forests are being depleted so fast by fire and by the lumbermen, that we ought to take this matter very seriously into consideration. Engineers from the upper lakes who come down here for their annual meeting every year, have told me that there are places along the lakes where fifty years ago they used to stand on their bare feet and fish, but which are entirely dry now the year round. What effect will this have upon the canal after it is built? To my mind, twenty years after the canal is built there will be from five to ten feet less water in that canal. When you get the canal built down to Montreal, you go into a shallow river.

Hon. Mr. CLORAN—What about the Welland canal?

Hon. Mr. BAIRD—Well, I would include the Welland canal, of course. That work is going on, and we must build it, but this is a new matter, therefore let us deal with it in its inception.

Hon. Mr. CLORAN—Would not the water in the Welland canal be lowered as well as the water in the Georgian bay?

Hon. Mr. BAIRD—Yes. I was saying that at Montreal you get into a very shallow river, which must necessarily be dredged to a great extent for all time.

Hon. Mr. CASGRAIN—It is dredged.

Hon. Mr. BAIRD—To my mind Quebec is the natural seaport of this country. I can speak of this independently; the men who live in Montreal say that Montreal is a natural seaport, and there is no other sufficient, but from my knowledge of Quebec harbour I say that it is the natural seaport, and as evidence of that we see all the larger vessels going to Quebec.

Hon. Mr. BOLDUC—Hear, hear.

Hon. Mr. BAIRD—Evaporation is playing a very important part in lowering the waters of this country, and with the large amount of money that we have expended in building the Transcontinental railway the time has arrived to call a halt in the very large expenditure we are making. This country has transportation facilities sufficient to serve it for the next twenty-five years; the time has come when we should cease to initiate large expenditure of money.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. BAIRD—I suppose hon. gentlemen would like to hear about Mackenzie and Mann. The hon. gentleman's party started them, and got us in trouble, and we have to finish the work.

Hon. Mr. CASGRAIN—Do not throw good money after bad.

Hon. Mr. BAIRD—Take the Hudson Bay project; that is now settled, but it is a wild cat scheme.

Hon. Mr. CASGRAIN—Hear, hear.

Hon. Mr. BAIRD—Both parties are responsible for that, but no ship owner will

ever venture any large vessel in the Hudson bay. The insurance companies will not be anxious to give insurance on vessels going to the Hudson bay, and when the fact is patent that the wheat that grows this year will not get out until next year, people will ask what is the good of it? However, we cannot help it now, because the matter seems to be settled. I wish to enter my protest against the construction of the Georgian Bay canal. It is not required in the country, as hon. gentlemen will see when they come to consider some of the facts I have mentioned. I wish to put myself on record at this early date as saying that we had better not undertake to build that canal until, at least, we want it.

Hon. Mr. BEIQUE—This is hardly an opportune time to enter into a discussion of this important question, but I cannot allow the statement which has fallen from the lips of the hon. gentleman from Russell (Hon. Mr. Edwards) to remain unanswered. There is no member in this House for whom I have a greater respect or higher regard than that hon. gentleman, but it seems to me that it would not be doing justice to his position, to the country at large, or to this House if he were to limit himself to the opinions that he has expressed in a very emphatic manner, without implementing them with arguments and data to justify them. I am a strong believer in the Georgian Bay canal, but I am open to conviction. It is a question of such importance that I agree with the hon. gentleman to this extent, if there is time yet to retrace our steps, although both parties have committed themselves to the scheme, we should do so if his opinion is really well founded. But it will be necessary for him, not merely to express his bare opinion, but to support it by data and reasons which can be accepted by this hon. House and by the country at large. It came to my knowledge three or four years ago that there was a meeting in the city of Buffalo of a large number of gentlemen on the other side of the line, interested in the transportation question, and especially in the widening of the Erie canal. It was a very large meeting, and was attended by eminent engineers of the United States, and by men of very large experience in transportation, and I understand there was but one opinion, that if the Georgian Bay canal were built, it would nullify the Erie canal and divert the trade from the United States to he Georgian Bay canal. My authority is an American, who happens to be a client of mine, and who told me that we Canadians would be astounded if we had heard the unanimity of opinion that was expressed on that occasion. I am not an expert in the matter, but I have had the advantage of hearing opinions expressed on the subject by a large number of men of experience such as the late Robert Keefer, Mr. Gear, of Montreal, Sir Hugh Allan and Sir William Van Horne. Very many men of large experience in transportation matters, agree not only as to the feasibility, but as to the practicability of the scheme. If the hon. gentleman has arguments and data—and I have no doubt he has, because I know he is not a man to express an opinion lightly—it will be his duty in the near future to present the matter in such a way that it may be weighed by this honourable House, and by the country at large. But until I hear arguments which are of a nature to change my mind, I must say that for my part I am very strongly impressed with the fact that the deepening of the Welland canal, and the deepening of our present canals on the St. Lawrence, will be the means of helping to divert trade from this country to the United States. If that be so, it is worth our while to undertake the building of the Georgian Bay canal, though it will necessarily incur a large expenditure. One hundred or one hundred and twenty-five millions is no doubt a large amount for this or any other country, but it will look a much smaller amount in days to come. The country is able to afford it if the canal has the merit which is claimed for it. We see that the city of New York is actually expending on an aqueduct, for the purpose of increasing the water supply to New York city, a sum of one hundred and sixty million dollars; that amount has already been almost entirely expended. I have enough faith in this Dominion to believe that we are able to face the expenditure on this canal if the project is such an enterprise as it is claimed to be. But I agree with the hon. gentleman that the country should not go into the matter lightly, that we should wait, and if the hon. gentleman has any data to present to the country, he should produce it at the earliest possible moment.

Hon. Mr. EDWARDS—In making the short statement which I made to the House, I said I was not going to deal largely with the question, but just to ex-

press my opinion upon it. I certainly do not entertain the views which I expressed without having very solid reasons for them. I am an Ottawa river man; all my interests are here. If the Georgian Bay canal were a benefit to Canada, no one would be a stronger supporter of the scheme than myself. After having heard the arguments pro and con, and having investigated the matter thoroughly for myself, so decidedly was I opposed to this project that, when Sir Wilfrid Laurier, late Premier of Canada, was entertaining the idea of beginning the construction of the canal, I wrote to him the strongest letter I was able to write, giving my views upon it and the reasons why I opposed it. I will take occasion later to speak fully upon the question, but I would tell my hon. friend who has just spoken that I am not surprised that a lot of gentlemen meeting in Buffalo, who knew nothing of the conditions of the Ottawa river at all, expressed their views on it as he states. The fact that it is some four hundred miles shorter to the ocean gives the idea that it would be a competitor with the St. Lawrence route—that goes without saying. But in the matter of water transportation, not only is depth required, but sea room is also necessary for the navigation of large vessels. The idea is to build a large canal with a depth of twenty-one feet or thereabouts. My hon. friend from New Brunswick, who spoke a short time ago, referred to Quebec being the natural seaport of the St. Lawrence, because of the width of the river below Quebec and the greater depth of water. I entertain his views exactly, for the reason that no matter how much you deepen the St. Lawrence river between Montreal and Quebec, navigation in a narrow channel will still be dangerous. I am a Montreal man more than I am a Quebec man; all we in eastern Ontario regard Montreal as our city. You can deepen the St. Lawrence just as much as you like, but unless you make larger sea room between Montreal and Quebec it will always be a dangerous stream for the navigation of large vessels. I do not know whether it will come in a year, or two years, or when, but there will be a great disaster in that river one of these days when a vessel gets turned crossways in that channel. There is no sea room for the large vessels coming to Montreal, and they must necessarily stop at Quebec. This same idea applies to the Ottawa river as against the St. Lawrence river. I made a short statement when I spoke before, that in measured miles it was four hundred miles shorter by the Ottawa river than by the St. Lawrence route, but from that very difficulty of large vessels navigating a small river like the Ottawa, not only would the St. Lawrence be the shorter route but it would be the cheaper route, because vessels would make quicker time. Six miles an hour would be the average speed of a vessel on the Ottawa river, while in lake Ontario, and lake Erie, the vessels could make from ten to fifteen miles an hour.

Hon. Mr. CASGRAIN—Ten miles.

Hon. Mr. EDWARDS—Put it thirteen if you like, it is the shorter route. As to the danger of the diversion of traffic to the United States in consequence of enlarging the Welland canal, I dissent absolutely from that view. In dealing with the transportation of grain from the west to Europe, you have to consider all the conditions, and grain will always go by the cheapest route. The reason why a great deal of western wheat finds its way to Liverpool by New York is not because of the conditions in Canada or in the United States so far as transportation is concerned, but because almost the entire grain crop exported from Canada goes across the ocean in passenger vessels. The great bulk of it is carried on those vessels for little or nothing—in fact they sometimes pay to get it, for ballast. The fact that there is a large number of passenger vessels plying between New York and Liverpool is the reason why wheat goes that way instead of going by Montreal. The small saving in the cost of carrying the wheat from the west to the seaboard cuts no figure at all; it is the cost from the original point of shipment to Liverpool. There was a time when eighty per cent of the grain of the west went to Liverpool through United States ports. This year sixty per cent went that way. New York gets the trade because it offers greater facilities for the shipment of the grain. Just a word on the subject of the Hudson bay route: passenger vessels will never use that route, nor can tramp ships go there to carry grain. It would be better to scrap that road immediately in the interests of Canada. It would not be fair to take up the time of the House any longer, but I have a greater regard for the opinion of my hon. friend who has just spoken, than he can possibly have for mine. I look upon him as a capable man, and his opinions are valuable. He is a gentleman who is

amenable to reason, and I hope to convince him that he is entirely wrong so far as the Georgian Bay canal is concerned.

Hon. Mr. GORDON—This discussion has been sprung on the House this afternoon very unexpectedly, so far as I am concerned at least, but imagining as I do that possibly I am the only member of the Senate who has been over the proposed route of the Georgian Bay canal from one end to the other, I am perhaps in a position to say a little on the subject. The Ottawa river, in my opinion, is a natural channel for a canal. I shall say nothing about the river below Pembroke, as a great many members of this House must be familiar with that portion of the route. From Pembroke to Mattawa, one hundred miles, the river varies in width from half a mile to two and a half miles. Above Des Joachims, which is forty-five miles from Pembroke, and as far as Mattawa, the river runs between two ranges of mountains. There is no property on that part of the route to be damaged by flooding, and the cheapest and best way to make a canal there would be to construct dams and flood the shores. That can be done, in fact, for a great part of the way. The portion of the route between Mattawa and Nipissing is the most difficult, not being as naturally adapted for a canal as the Ottawa river. The distance is about twenty-five miles. A great deal of money was spent by the late Government investigating this project—nearly a million dollars—and the result of the investigation was to make plain the fact that not only the part between Montreal and Mattawa is feasible, but the most difficult part, between Mattawa and Nipissing, is also practicable. That was the only part of the whole scheme which appeared to me doubtful. From the time you get into lake Nipissing, to the head of French river, a distance of thirty miles, you have a large lake, which can be made available for boats of heavy draft by the construction of dams. Between lake Nipissing and Georgian bay I believe only three locks are required.

Hon. Mr. CASGRAIN—There is sixty-four feet of a lift, and three locks will be needed.

Hon. Mr. GORDON—The Government has acted wisely in appointing this commission to ascertain if the project will be a commercial success.

Hon. Mr. DAVIS—Does the hon. gentleman think that the three commissioners who have been appointed are gentlemen qualified to deal with the subject?

Hon. Mr. GORDON—I have no doubt of it.

Hon. Mr. DAVIS—A big proposition of that kind?

Hon. Mr. GORDON—Yes.

Hon. Mr. CASGRAIN—Do they know anything more about it than any one else?

Hon. Mr. GORDON—I do not think they know anything more about it to-day than I do, but they have been appointed for the purpose of finding out.

Hon. Mr. CASGRAIN—I suppose we can not find out.

Hon. Mr. GORDON—No, and I can not find out. That has been the trouble with the proposition for years past. Many of us have been going around the country shouting about the Georgian Bay canal, but we can not give facts and figures to prove that, if constructed, it would be a commercial success. I would suggest to my hon. friend, who favours the project, that he should get to work and collect all the information he can and place it before the commission.

Hon. Mr. CASGRAIN—I have done so already; I have given them my speeches, made in this House.

Hon. Mr. GORDON—I do not know what information they may convey because I have not read them, but I know of persons who are collecting information which will be of very great service to this commission, and this should be done by every one who can assist in placing information before the commission, showing the quantity of freight that may be exported by the new route.

Hon. Mr. CLORAN—In the near future there may be ten thousand farmers, where there are only two thousand to-day. How can these commissioners foretell what the population will be ten years hence? Are the commission going to bring before them only men of the stamp of the hon. member from Russell, who is deadly opposed to the scheme? Will the hon. gentleman state here on his responsibility as a public man that he is against the scheme?

Hon. Mr. GORDON—Against what scheme?

Hon. Mr. CLORAN—Against the Georgian Bay route.

Hon. Mr. GORDON—Not at all. The hon. gentleman does not seem to know where his friends are. I have said nothing here to-day that would lead to such an opinion. Only a few days ago I had the pleasure of looking over some information that is being collected by a gentleman to be furnished to the commission, and was amazed and gratified that any one should take such a deep interest in the subject as he did. I should like to reply to a statement which has been made about the length of time navigation would be open on this route. I know as much, and possibly more, about that than any one present here to-day. My experience tells me that the route will be open from May until the end of November every year, and sometimes into December. It will be open as long every year, practically, as the St. Lawrence between Montreal and Quebec, and surely that is all that is required. I repeat I believe that the Government have acted wisely in appointing this commission, because right here in Ottawa we see the difference of opinion that exists between men who should know a good deal on the subject. I am prepared for that reason, if for no other, to support the appointment of the commission which is investigating the commercial side of this enterprise.

Hon. Mr. DAVIS—But the commission is not appointed for that purpose.

Hon. Mr. CLORAN—If they go on appointing commissioners they will never construct the canal.

Hon. Mr. GORDON—I believe the Government are favourable to this project. If the canal is not built within our time it will be simply for the reason that the Government consider the obligations on their hands at the present time are as much as they can carry.

Hon. Mr. CLORAN—That has been the story right along.

Hon. Mr. GORDON—If the canal is not constructed within a short time and by the present Government the fault will lie at the door of the late Administration, for this reason, Right Hon. Mr. Borden advocated, not so very long ago, that instead of building the National Transcontinental railway, east of Cochrane, the Grand Trunk railway should be allowed to build from North Bay to the Pacific coast, for the ususal subsidy. If that had been done, as the Grand Trunk Railway Company wanted to do, we would not have to-day the line from Cochrane down to Moncton. The money spent on that portion of the National Transcontinental railway project would have been nearly enough to construct the Georgian Bay canal through to Montreal. Therefore, if this canal gets a setback for some time to come, the fault will rest with the late Administration which saddled the country with such an overwhelming debt that it cannot undertake this great project.

Hon. Mr. CASGRAIN—The hon. gentleman contradicts the hon. member from New Brunswick (Hon. Mr. Baird) as to the length of time the canal will be open annually. The hon. gentleman from New Brunswick would have us believe that the water of lake Nipissing would evaporate; what is the opinion on that?

Hon. Mr. BAIRD—I did not say the water of lake Nipissing. I said the water from the surrounding country, spread over that country would evaporate.

Hon. Mr. CASGRAIN—Lake Nipissing would have to be reduced to a low level before the canal would be dry.

Hon. Mr. GORDON—The water of lake Nipissing evaporates very much every summer.

Hon. Mr. DANDURAND—I want to draw attention to a report which was made about 1901 by an engineer of high repute from London, who came to investigate the feasibility of the construction of this canal and its commercial value. That engineer was Mr. Sawyer. I have had occasion to study his report. From the moment I read it I became an advocate of the Georgian Bay canal route. He showed to my satisfaction, and I have not seen any argument to destroy the value of his report, that this canal would be a most important route, commercially speaking, and I shall await with considerable interest the data which the hon. member from Russell promises to furnish this House at some later date to see if he can shake to any degree the figures and conclusions of Mr. Sawyer. My Hon. friend from Nipissing has spoken of the responsibility of the late Government for perhaps delaying this work, because of the heavy obligations which the country has had to shoulder in the construction of the National Transcontinental Railway. He says that if the Grand Trunk Railway Company had been allowed to go on with its scheme as originally projected, we would not have had the line from Cochrane eastward. I draw the hon. gentleman's atten-

tion to this fact, that when the scheme was first brought down to Parliament, undoubtedly the Grand Trunk Railway Company had in mind the building of the road from Cochrane westward and the notices published at the time spoke of connecting that point with their old system at North Bay giving a through route to Toronto, but if the hon. gentleman will look at the map he will find that the line from Winnipeg to Cochrane, if extended from Cochrane to Quebec, would be no longer than a line from Cochrane to Toronto, and so I would naturally think that when the country was being asked to endorse such a heavy proposition, the question of the advantage of making the straight trip to Quebec should be considered in order to have a second transcontinental. This was done. I believe that it was a sound principle to lay down—that since the road from the Pacific was being built as far as the point now called Cochrane or thereabouts, instead of deflecting that road down to North Bay, the Government should push it straight on to the sea. I do not suppose that this point needs to be discussed. It has been approved by the people. The Maritime provinces claimed that if such an effort were made, they should have the advantage of that road being extended to St. Johns and Halifax. The country has twice endorsed that policy; I do not believe that it will to any extent delay the construction of the Georgian Bay canal, if it is found to be a good and a safe scheme. The hon. gentleman from New Brunswick said that we should first give the new transcontinentals, to be finished this year or next year, the chance of carrying the trade from the West before thinking of embarking on an expenditure of one or two hundred millions on the Georgian Bay canal. I draw his attention to the fact that if this Georgian Bay scheme is not started now, and we wait five or ten years, our successors may think that we were quite slow in catching on to the necessity of preparing to handle the freight of the West, for we all must recognize that the Georgian Bay scheme will take ten or fifteen years to build. Now, suppose it will cost from 100 to 200 millions—the estimate a couple of years ago was that 100 millions must be spent—with the buoyant revenue we have we could saddle the federal Budget with ten millions a year. I stick to that opinion until I hear from my hon. friend from Russell. It seems to me that this country should not delay in starting on that expenditure. It will not be a very heavy one. We can face the obligation for ten or fifteen years to come of an expenditure of ten millions a year in order to open up that big water route.

Hon. Mr. McKAY (Cape Breton)—I did not expect that this discussion would come up to-day. If I had I might possibly have had something to say in regard to this proposition, from the Maritime provinces standpoint. I have listened with considerable interest to the statements made by the several hon. gentlemen who have spoken, and in the main I can agree with the most of them, though with some of them I take issue. In the first place, I believe the appointment of this commission was a wise undertaking, for the reason that the question now is not one of engineering, or of whether you can have water enough, or distance, but is a commercial question. In that respect I agree with the hon. gentleman who has just taken his seat; the commission will be able to elicit facts in connection with the commercial aspect of this question which have not yet been brought out. I do not think that the inquiries hitherto made have gone far enough afield to bring fully before the eyes of the public and of those interested in the construction of this canal the most important facts in regard to its commercial value. It will have several commercial values. In the first place, I want to say that no country can be great without a great merchant marine. You have already commenced the deepening of the Welland canal: and although you do build a good and efficient route via the Welland canal, you have still a great proposition as far as Canada is concerned in building the Georgian Bay canal. You have three great transcontinental lines pouring traffic into the head of the lakes. It is a fact that at Port Arthur and Fort William combined we have to-day the fourth largest ports of entry on the American continent. The amount of tonnage arriving and leaving those ports at the head of the lake can only be surpassed by New York, Chicago and Boston on this continent. What are we going to do 25 years hence, in view of that fact, and of the other facts that there has really been only one transcontinental line in operation, that the other two transcontinental lines are only beginning to feed

in their great traffic from the West, that the West has only fairly started to grow, and that there is now such an enormous traffic pouring in at the head of those lakes with the present facilities and the present population of the West? Will hon. gentlemen tell me that there is not going to be enough traffic and commerce pouring out from the West to supply, not only the Welland canal and the railways, but also the great Georgian Bay canal?

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. McKAY (Cape Breton)—I venture to go further and say that I believe there is not an hon. gentleman in this House who is not convinced that we are going to have such a traffic from the West. If so, it is important in the first place that we should divert as much as possible of that traffic through our own channels and our own seaports. It is a very important matter that we should bring that trade down by the St. Lawrence route, and that that trade should be routed to the old country through our own ports. But in order to do that we must look a little further ahead and realize the fact—and it is not too soon for us to open our eyes to the fact—that we have not done what we should in building up a great merchant marine. There was a time in the history of this country, not so very long ago, when the Canadian merchant marine stood fifth among the great nations of the world; to-day it stands eleventh. This is a lamentable fact, but it is not too late, if our people will set themselves to work, to build a great merchant marine, in order to be able to handle the enormous traffic that is coming from the West by our own trade routes, in order to carry it down to the St. Lawrence, and send it across to the other side in our own bottoms. Then our merchant marine will become, not the eleventh, but the second, the third, or possibly the first as time goes on.

Hon. Mr. McSWEENEY—How will the hon. gentleman build up a merchant marine?

Hon. Mr. McKAY (Cape Breton)—I would build up a merchant marine in the same way that the merchant marine of this country was built up in years gone by. There was a time in the history of Canada when it had a very small and insignificant merchant marine. At that time the carrying trade of the world was done in wooden bottoms, and I am glad to say that the province from which I come at one time sent our ships, manned by our own crews and our own masters, over the seven seas, and took her share and part in the great commerce of the world. I am glad to say the sister province of New Brunswick took a very important and very prominent part on the same lines; I am glad to say that during those years the merchant marine, which was built up in that way, and increased as necessity required, or the opportunity presented itself, became at last—although in wooden bottoms—an important portion of the great merchant carrying trade of the world. The age of wooden walls has passed away, and we have entered into a new era, and it is up to us; as Canadians we are fully as well able to start in and build our own ships as were those who preceded us in New Brunswick and Nova Scotia, to build up wooden walls and carry the trade not only of our own country, but of all countries over the seven seas. But apart from that, as coming from the Maritime provinces I would like to impress upon the members of this hon. House, that we have a great and growing trade in the east which we would like to carry to the west. We have immense fields of coal, and you require coal in the west. At the present time the coal supply in the west is almost entirely drawn from the United States' mines. The coal comes in from various points on the lakes, and it is carried in American bottoms to the head of the lakes, and is sent west from there as required. You are allowing the American miner and the United States coal companies to reap the benefit of the operation in coal at the expense of the people of Canada. My idea would be that, with our own bottoms, we should carry our own coal through our own channels, and distribute it at the head of the lakes. I am sure such could be successfully done; that is one of those questions which I had reference to, when I said this commission should go further afield, and obtain information that had not yet been produced in that regard. If the commission will inquire into that phase of the matter they will find an enormous amount of coal can be conveyed west, because we have unlimited quantities at the seaboard. Strange to say our coal is situated at the point on the seaboard where the great stream of ocean traffic will diverge, one going down the United States coast, and the other up the gulf of St.

Lawrence. At this dividing point of ocean travel is placed the only deposit of coal on the Atlantic seaboard between Cape Farewell in Greenland and Cape Horn. We can thus realize what an immense heritage we have in that enormous deposit of coal on the Atlantic seaboard. That coal is seeking an outlet to the West and can be conveyed in our own vessels by the St. Lawrence route; if this Georgian Bay canal is a success, if there is a sufficient quantity of water, which my hon. friend from New Brunswick rather doubts, if the Welland canal is sufficiently deep, then the stream of ocean travel from the East as it comes up the St. Lawrence, can diverge; one portion can go up through the Welland canal and the other through the Georgian Bay canal, and we can supply you all with coal to run your factories and your industries as far as they will require coal. I therefore say this question may possibly be opened up by this commission, and if so they will not only find coal as a product which can be brought up here, but they will find unlimited quantities of fish, because, just at that particular point, nature has placed us in the centre of the greatest fishing locality on this round earth. With the banks of Georges to the south of us, the Magdalen Islands to the north of us, and the great banks of Newfoundland to the east of us, we are placed in the centre of the greatest fishing grounds in the world. If you will open up channels of trade and traffic for us to the great West, you will put us in a position to develop the wonderful heritage that is given to us by Providence; we can give you all the fish, and better fish than you have been eating for a long time, and you can carry it, not only to Montreal but to the West. We will supply plenty of halibut, codfish and haddock. I regret that I have not facts and figures to present to the House to-day, but I can assure hon. gentlemen that it is not only the people of the Ottawa valley that are interested in this matter, but the Maritime provinces, because it is of great importance to them, particularly to those in the extreme East of the Maritime provinces. We are watching with eager eyes the outcome of this proposition, realizing fully what it is going to mean in the next twenty or thirty years.

The motion was agreed to.

BILLS INTRODUCED.

Bill (C-3) An Act respecting the North Shore Power and Navigation Co.—Hon. Mr. Boyer.

Bill (122) An Act to amend the Government Railway Small Claims Act.—Hon. Mr. Lougheed.

THIRD READINGS.

Bill (92), An Act respecting The Premier Life Insurance Company.—Hon. Mr. De Veber.

Bill (128), An Act to amend An Act to incorporate the Vancouver Harbour Commissioners.—Hon. Mr. Lougheed.

CONTINGENT ACCOUNTS OF THE SENATE.

CONSIDERATION OF REPORT POSTPONED.

The Order of the Day being called:

Consideration of the motion of the Hon. Mr. Thompson, appealing against the Ruling of His Honour the Speaker, on the motion for the adoption of the second report of the Committee on the Internal Economy and Contingent Accounts of the Senate.

Hon. Mr. LOUGHEED—Will my hon. friend permit that to stand over again. I received a notice that the Internal Economy Committee is being called to-morrow, and in the multitude of counsel there may be some wisdom expressed as to what disposition should be made of this matter. I should suggest the hon. gentleman to permit it to stand.

Hon. Mr. THOMPSON—This report was presented to the House on April 3, and there has been some criticism of the Committee on Internal Economy and Contingent Accounts, because of the delay in having the domestic affairs of the Senate attended to. It is important that the organization of the staff should be completed at the earliest possible date. However, out of deference to the hon. leader of the House, and feeling that the House will entirely exonerate the committee from any delay that has occurred, I consent to the Order of the Day being discharged and placed on the Orders of the Day for Tuesday next.

The Order of the Day was postponed accordingly.

FISHERIES ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resumed in Committee of the Whole consideration Bill (71), An Act to consolidate and amend the Acts respecting Fisheries and Fishing.

(In the Committee.)

On clause 2:

Hon. Mr. LOUGHEED—I might say to

my hon. friend from Halifax, who took exception to this clause, that the explanation given by my hon. friend from Middleton (Hon. Mr. Ross) is the proper explanation of the clause. It is intended that a fishery shall include not only the area and the locality, but also the appliances used.

Hon. Mr. POWER—I did not look as carefully at the wording as I should. I thought it was 'or,' and I see now that it is 'and' I therefore withdraw my objection.

The clause was adopted.

On clause 74.

Hon. Mr. LOUGHEED—The hon. gentleman from Kamloops (Hon. Mr. Bostock) pointed out the omission of British Columbia from this clause. That is a typographical error, and I move that the words British Columbia be inserted after the word 'of' in the first line.

The clause was amended accordingly, and adopted.

On clause 76:

Hon. Mr. LOUGHEED—My hon. friend from Halifax pointed out that the amendment we made to clause 44 should be repeated in this clause. That is correct. This clause will be amended by adding the following:

Substance or thing, whether the same is of a like character to the substances named in this section or not.

The clause was amended and adopted.

On clause 91.

Hon. Mr. LOUGHEED—I proposed last night that clause 91 should be superseded by the following clause:

The Governor in Council may prescribe the manner in which the proceeds of penalties and the proceeds of the sale of confiscated articles shall be distributed.

The reason for the departure from the clauses that were adopted in the Commons is this: Under a decision of the Privy Council it has been held that the property in the fish in non-tidal and inland waters in the provinces of Canada, is in the province, but the right of passing regulations is in the federal Government. The consequence is that the provinces in many cases are administering their own fisheries, subject to the regulations which may be passed by this Government. Therefore we cannot prescribe as to how these penalties shall be applied. That is to say, those penalties may be recovered by provincial officers, and not by officers of the Dominion; consequently the conditions are such that the clause will have to be of sufficiently elastic character to permit of the Governor General passing regulations, so that the fines, which go to the province, may be disposed of as the province may desire. It will be observed that we arbitrarily dispose of those fines under clauses 91 and 92. We would not have a right to do that, in view of the fact that provincial officers would not come within our jurisdiction, consequently it must be dealt with by regulation.

Hon. Mr. BOSTOCK—My hon. friend takes the ground that this is to be paid over to the province and cannot be paid over to the people who give the information?

Hon. Mr. LOUGHEED—I do not go that far; inasmuch as the provinces are administering their own fisheries they consequently appoint officers who are provincial officers. It is for the provinces to determine, in such cases, the application of penalties. It therefore would be manifestly wrong for us to say how the penalties should be applied. It is therefore thought that the Governor in Council can deal with this matter by regulation, by Order in Council, because there are some cases in which Federal officers may be employed to administer the fisheries. Both Governments being interested, we require something more elastic than we have.

Hon. Mr. DANIEL—In regard to section 56, what was the explanation in regard to the phrase 'commissioned officer of His Majesty's Navy?'

Hon. Mr. LOUGHEED—That is right; in fact that language has been employed ever since Confederation.

Hon. Sir MACKENZIE BOWELL—The explanation made by the minister seems to complicate this whole matter much more than it ever was before. It appears that the lands and property belong to the provinces, but the regulations affecting the fisheries are to be framed by the Dominion Government. Under these circumstances, has not the Dominion Government the power to declare what the penalties shall be for the violations of those laws? If the Dominion Government has the power to impose the penalties, those penalties would have to go to the provinces, to form part of the revenue of the provinces, on the

ground that the land belongs to the provinces, those penalties do not go to the Dominion which is enforcing them. That question of joint authority is one that has troubled the Government for a great many years. I remember when it was decided some years ago that Dominion officers should enforce these regulations, a representative of the province demanded that the proceeds of any penalties should be turned over to them. At that time in the Commons, strong ground was taken by members that if the Dominion had to pay for the enforcement of the regulations the provinces has no equitable right to receive the penality. I am not prepared to say whether the decisions of the Privy Council upon these questions have changed the respective authorities of the Dominion and the provinces, as regards the enforcement of the protection of the fisheries. My hon. friend has put it clearly enough, but it does seem to me that we had better try to change the constitution, so as to give authority definitely either to the Dominion or the provinces.

Hon. Mr. LOUGHEED—It is a difficult thing to change the constitution.

Clauses 91 and 92 of the Bill were stricken out, and clause 91 as substituted therefor, was read.

The clause was adopted.

On clause 93:

Hon. Mr. ROSS (Middleton)—I move that the last part of this clause be changed so as to read:

Nothing in this section contained shall prevent any person who thinks himself aggrieved by any such conviction or order or dismissal, the prosecutor or complainant, as well as the defendant, from the right of appeal that he has under the provisions of Part XV of The Criminal Code.

The clause, as amended, was adopted.

Hon. Mr. BOLDUC, from the committee, reported the Bill with amendments, which were concurred in.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

Friday, May 1, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers aud routine proceedings.

THE RAILWAY BILL.

MOTION.

Hon. Mr. YOUNG, from the special committee to which was referred Bill (B-2), An Act to consolidate and amend the Railway Act, presented their first report recommending that leave be given to the committee to hold meetings while the House was in session, and that they be permitted to sit during adjournments of the Senate.

Hon. Mr. DAVIS—While there may be objection to the report, I do not see any reason for setting aside the ordinary practice of the House and putting it through now. It can be considered on Tuesday.

Hon. Mr. YOUNG—This is simply a recommendation for permission of the House to hold meetings while the Senate is in session, and also to sit during the adjournments. Parties come here in the forenoon who might be able to finish their evidence in the afternoon and get away the same day, and we thought it wise to ask that the committee be given the power to continue the hearing of the evidence while the House was in session, and also that the committee sit during adjournments of the House. However I have no objection to the matter standing until Tuesday. My only object in putting it through to-day is that we might fix our procedure. The Commons committee could apply for similar powers so that we would have a uniform rule governing both committees.

The SPEAKER—The hon. gentleman did not make a formal motion, but I took it upon myself to make it, as I understood the proposal was to ask permission for the committee to sit during the recess and during the sittings of the House. I thought possibly the committee might desire to sit on Monday or Tuesday.

Hon. Mr. YOUNG—I move that the report be taken into consideration on Tuesday next.

The motion was agreed to.

BILLS INTRODUCED.

Bill (F-3), An Act to amend the Secret Commissions Act, 1909.—Hon. Mr. Davis.

Bill (G-3), An Act to incorporate the Canadian General Council of the Boy Scouts Association.—Hon. Mr. Bostock.

AID TO FARMERS' BANK DEPOSITORS.

INQUIRY.

Hon. Mr. CLORAN inquired:

1. If there is any foundation in fact for the current report that the Prime Minister does not approve of the scheme of his Finance Minister to recoup the depositors of the Farmers' bank, for their private losses out of the public moneys of the Dominion?
2. If there is any foundation in fact for the current report that the Prime Minister will allow the Finance Minister's measure to be presented to and adopted by the House of Commons in the hope and expectation that the Senate will reject it?

He said: In putting these two questions on the Order Paper I may be permitted to say that I do not expect any elaborate answers to either one of them, nor do I expect from the leader of the House any disclosure of Cabinet secrets in regard to the matter. I simply put the question on the Order Paper in order to put an end to the talk of evil gossips, or ill-informed persons, regarding the attitude of the Prime Minister towards his Finance Minister over this Farmers' Bank business—the scheme to recoup depositors for their private losses out of the public funds—and also to give the Prime Minister an opportunity of denying flatly and fairly, which I suppose he will do, that he does not count on any concurrence of the Senate with himself, in regard to this matter.

I put this question for that purpose—to enable the Government to declare that their solidarity is complete in regard to this scheme to recoup the depositors of the Farmers' Bank, and in the next place to give the Prime Minister an opportunity to deny the statements of gossipers or ill-informed persons that the Prime Minister will allow the Bill to be presented to Parliament with the expectation that it will afterwards be rejected by the Senate. I should like to have from the leader to-day two negatives to this question.

Hon. Mr. LOUGHEED—My hon. friend is too well acquainted with parliamentary usage to believe that such a condition can arise as a disagreement between the Finance Minister and the Prime Minister. I should like to point out that the inquiries are entirely out of order—that in constitutional practice there can be no disagreement—that the ministry must be in accord.

Hon. Mr. CLORAN—I did not say disagreement; I said disapproval.

Hon. Mr. BOSTOCK.

Hon. Mr. LOUGHEED—When any measure is brought before Parliament touching this matter there can be no disagreement between the Finance Minister and the Premier.

Hon. Mr. CLORAN—I did not use the word disagreement; I said disapproval.

Hon. GENTLEMEN—Order, order.

Hon. Mr. CLORAN—All right; I shall have a chance to speak again when the Farmers' Bank Bill is brought before the Senate.

THIRD READINGS.

Bill (87), An Act to incorporate The Erie and Ontario Railway Company.—Hon. Mr. Taylor.

Bill (W-2), An Act respecting the Toronto Terminals Railway Company.—Hon. Mr. Watson.

Bill (71), An Act to consolidate and amend the Acts respecting Fisheries and Fishing.—Hon. Mr. Lougheed.

TRUST COMPANIES' BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (70) An Act respecting Trust Companies.

He said: The object of this Bill is to make provision for uniformity, and for the better regulation of Trust companies—uniformity in incorporation, and regulations looking to the business of the companies when incorporated. At the present time trust companies have been incorporated in two ways, one by letters patent and the other by an Act of Parliament. We now propose that hereafter no trust companies shall be incorporated by letter patent, and that such trust companies as desire incorporation shall be by parliamentary sanction and under the model Bill for which provision is made in this Bill. They shall be subject uniformly to the regulations and provisions of this Bill when it becomes law. We are very much in need of legislation of this character. There has been a great deal of divergence between the various charters granted from time to time in Parliament. We have never sought to incorporate uniformity into these various companies to which we give charters from time to time. Inasmuch as they bear a very important relation to the business of the country, owing to the fiduciary capacity in which they act, it has been considered desirable that the strictest regulations shall be

applied to those companies; also that systems of audit and inspection should likewise be made applicable to them. It is my intention, after the Bill is read the second time, to move that it be referred to the Committee on Banking and Commerce, so as to give an opportunity to those interests which may be affected to appear before the committee, and make such representations as they may desire. It would be in the public interest that this should be done.

Hon. Mr. BELCOURT—What are the new features of the Bill?

Hon. Mr. LOUGHEED—In the first place, uniformity; and in the second place, greater restrictions than have heretofore been adopted.

Hon. Mr. BELCOURT—As to what?

Hon. Mr. LOUGHEED—As to incorporation and in the transaction of their business.

Hon. Mr. DAVIS—Why? Can the hon. gentleman tell me what the objection is to incorporating these companies by letters patent, and why the Government wishes to load up the House with a lot of unnecessary work?

Hon. Mr. LOUGHEED—For this reason, largely, that it is destructive to uniformity in the first place; and in the second place, the most extraordinary powers have been given under letters patent to applicants for incorporation as trust companies. My hon. friend will be astonished when, before that committee, the extraordinary powers which have been given to those companies are pointed out.

Hon. Sir MACKENZIE BOWELL—And how they have been abused.

Hon. Mr. LOUGHEED—There are powers which should in no way be given to a trust company, powers which are unrelated to the objects which a trust company may have in view. Owing to the very important functions discharged by trust companies, particularly in relation to the administration of trust estates, Parliament cannot be too careful in insisting that the business done by those companies should be done with a view to protecting the public interest in which they are engaged.

Hon. Mr. DERBYSHIRE—And that all companies shall have the same powers.

Hon. Mr. LOUGHEED—My hon. friend will likewise recognize the desirability of all those companies being uniform, so far as the powers granted them by Act of Parliament are concerned.

Hon. Mr. DAVIS—My hon. friend's reply does not, to my mind, give any good reason why letters patent could not be granted for the incorporation of loan companies. The fact that this has been done in a loose manner heretofore, is no reason why it should be done in that way in the future. Supposing the Parliament of Canada passed an Act giving power to the Secretary of State to incorporate loan companies under certain conditions, all the conditions with which they would have to comply would be in that Act, and the Secretary of State could not go outside of that Act. When such an Act is on the statute book Parliament would not be bothered with it any more, and the Secretary of State goes on; all the letters patent are alike—you have uniformity right there. That is what should be done; not that every individual loan company should be able to come to this House to get a charter in order to do business, for that course affords opportunity of lobbying, and getting Bills passed granting powers that should not be given. If the Secretary of State is given power to grant charters you remove this practice of lobbying, and also relieve Parliament of a great deal of work. Moreover, that is the up-to-date manner of doing this work. To my mind, the proposed step is a retrograde one.

Hon. Mr. BELCOURT—I am in sympathy with the objects of the Bill so far as they have been outlined to us by the hon. leader of the Government. Uniformity in the powers granted to these corporations is very desirable, also the transactions of trust companies should be restricted and subject to audit and inspection. The only doubt in my mind is as to whether the first object to be attained, that of uniformity, can be best accomplished by this method. I doubt very much if uniformity is to be attained by leaving the matter in the hands of Parliament exclusively. We all know how difficult it is to secure uniformity in such matters as railway legislation, for instance. Almost every year we have somebody working for some power which another company did not receive. I am inclined to think that uniformity would be secured more surely and in a better way by leaving the incorporation to be granted by the Secretary of State.

Hon. Mr. LOUGHEED—May I ask whether there is any good reason why uniformity should not be accomplished as successfully in relation to trust companies as to banks? We incorporate banks under a model Bill, and very seldom, if ever, is there a departure from that model Bill. If my hon. friend will look at the Bill before us he will find on the last page, schedule A, a model Bill, somewhat similar to those under which we incorporate banks. I see no good reason why Parliament should depart to the slightest extent from this model Bill, which is part of the present Bill.

Hon. Mr. THOMPSON—I understood the leader of the House to say that in many respects the Bill was restrictive.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. THOMPSON—Is there not in some parts of the legislation relating to share-warrants and enlargement of powers to trust companies in respect of capital that is not found in the other?

Hon. Mr. LOUGHEED—That would not touch a vital interest in the administration of trust companies; that is very largely a matter of domestic concern, as to the evidence they shall issue of the interests of the shareholders in the company. It seems to me that the public would not be very largely interested, if to any extent at all, as to whether a shareholder should hold his share under a stock certificate or under a share-warrant, or in what form the certificate of his holding should be.

Hon. Mr. BOSTOCK—I think that this legislation is on the right lines and that the explanation given by the hon. leader of the Government is satisfactory up to a certain point; but in view of this question of uniformity, that the leader of the Government has dealt with, I should like to know something with regard to the jurisdiction of the Dominion and the provinces on this question of trust company loans. As I understand, all the provinces have legislated on the question of trust companies, and are at the present time incorporating such companies. If we are to have uniformity, the question as to the right of the provinces to legislate is also a very serious one. I understand that at the present time there is a case before the courts involving the question as to the concurrent rights of the provinces and the Dominion to legislate on this subject. I do not know whether my hon. friend can give us any information as to the position of that suit, or whether any final decision has been arrived at as to whether both the provinces and the Dominion have the right to legislate on a question of this kind. Many trust companies have been incorporated under provincial charters and are doing business all over the Dominion. It is very hard for any one who wants to find out about the position of a trust company if he has to hunt up the statutes of different provinces of the Dominion to get the information. A trust company occupies a different position from that of other companies, because the public have to put a great deal more reliance on the business capacity of their managers, and these companies are in the position, as their name suggests, of a trustee for their clients. I should like to know, therefore, what their position is as regards Dominion and provincial legislation.

Hon. Mr. LOUGHEED—That is a very difficult question to answer. Whatever powers or authority may be vested in the provinces of Canada under the British North America Act, of course they have a right, and will continue to exercise those powers. The question of conflict in the exercise of powers between the federal Government and the provincial Governments goes back to Confederation. As to trust companies, the provinces, notwithstanding this Act, will scarcely be expected to in any way restrict the exercise of their powers. I presume they will exercise those powers just as freely as they have in the past. The question of conflict between the federal and provincial authority has been before the Supreme Court. It came before that court upon a stated case agreed upon between the governments affected, and there has been a judgment of the Supreme Court favouring largely the contentions advanced by the provinces. That judgment has not yet been appealed. As to whether it will go to the Privy Council I am not in the position at the present moment to say. Some consideration has been given to the desirability of securing finality upon that very important question. Notwithstanding the judgment of the Supreme Court upon the question, it does not necessarily follow that the question is settled. The question may be raised at any time, as to whether certain of those powers are vested in the provinces; One is safe in saying that finality will not be reached until that question is determined

before the Privy Council, but I cannot say at present to my hon. friend whether there will be an appeal to the Privy Council.

Col. the Hon. Mr. MASON—The provisions of this proposed Bill are well worthy of the best consideration of this hon. House. Trust companies are given large powers; they take deposits, they administer estates of deceased persons and in many ways they are custodians of money and funds which are more or less of a sacred character, because they belong to widows and orphans. The tendency of legislation nowadays seems to be to protect the public. Flaws have been detected in past legislation. In my humble opinion, the authority to give such powers should be vested in the Dominion Parliament, and I should be very glad indeed to see this Bill go through.

Hon. Mr. DAVIS—But that cannot be done. Under the British North America Act the provinces have a right to charter trust companies, and the only effect this will have, if this legislation is passed, will be to send these people to the local legislatures to get their powers, and they will not come here at all.

Hon. Mr. DERBYSHIRE—That is not the point. If you get a Dominion charter you can do business in every province of the Dominion, which is a valuable asset for any company to hold, but if a company has only a provincial charter, they can do business only in the province from which they get the charter. That is a small matter. It is important for a company to obtain a Dominion charter because they can do business all over the Dominion. There is no doubt the provincial companies have a right to do business in their own provinces, but if they wish to do business in an outside province, the provincial charter is no use,—they have to come to this Parliament in order to obtain the power to do business outside their own province.

Hon. Mr. KERR—That statement should not go unchallenged because my hon. friend apparently forgot, at the time he was speaking, that a company cannot do business without a license from the province. If companies want to do business all over the Dominion, they have to take out a license in each province to do it; the same applies to a provincial trust company, or an English or American trust company, provided the license is issued. So that the hon. gentleman's observation as to the preservation of protection in that respect is entirely unsound. This is a serious question and I would like if the Government would take it into consideration, whether it is desirable that there should be any change made with reference to the method of incorporation. At the same time it would be a very great advantage if the Government would come to some understanding with the provinces by which Dominion companies could be allowed to carry on business in the provinces without getting a license to do business in that province. The expense involved in that is great, but greater than that is the annoyance of annual renewals and returns, as to which in some cases the province is most exacting, and it is asserted that it is done, not in the public interest, but to compel companies to take subsidiary letters of incorporation in those provinces. This has led to a good deal of disturbance, and the sooner the question is grappled with by the Government and some arrangement arrived at the better. The province has only an interest in the shape of fees, and the paltry revenue they get out of them for the filing of records and licenses annually, but it becomes a burden on the companies and is misleading to the public, and it is in many ways a very great disadvantage in the transaction of business. Instead of presenting a Bill like this, the Government should take the matter up and deal with it. If the way were clear then the form of legislation should take, whether under the Joint Stock Companies Act, or by a measure of this kind, should be dealt with. It may be observed, also, that there is some objection to this form of incorporating a trust company, or any company of that character. It arises in this way: the character of a company incorporated, as it were under this Bill, has restrictive claims in some respects beyond what the letters patent impose, and extensive powers now beyond what ordinary companies are given, as, for instance, the question about the issue of share-warrants, which has been referred to. Under the Joint Stock Companies' Act, a company cannot be incorporated with power to issue share-warrants. Is that the object really in view in this legislation? Under the name of a general Act, is it intended by those who desire this legislation that trust companies who wish to issue share-warrants can obtain certain powers which at present, under the Joint Stock Companies' Act, they could not get, and which the department would not give if they could? That is altogether a separate condition of things.

There is a distinction between a trust company and an ordinary trading company with reference to the issue of share-warrants. I can understand that a share-warrant differs from a certificate in this respect: That a share-warrant may be issued for a fraction of a share. In other words, the holder of a share may split his share into ten or twenty fractions, and issue a share-warrant for each one of the fractions, whether it is a tenth or a twentieth of a share, and it is not necessary that the share-warrant should be recorded. Take the case of a trust company guaranteeing its investments, one can easily see how a shareholder might shield himself by having his shares issued not in the form of scrip, but in the form of share-warrants which need not be, and which are not, in fact, recorded. They are usually held, at all events, in foreign companies, where a foreign banker having investments of small sums holds the share, and against it issues share-warrants. The result is that small sums of money can find investment in that way at remunerative rates, compared with what they would bring if they were merely sums on deposit. I really think there is a good deal to be said on the subject, and I should like the hon. leader of the House to consider the propriety of applying the share warrant restriction to trust companies. If there is one class of company which should not be authorized to do what I have been describing, it is trust companies, even more than banks. You would never think of bank shares being divided into share-warrants, and having an undisclosed body of share-warrant holders not liable as shareholders. Those are matters which will require consideration.

Hon. Mr. LOUGHEED—They will come before the committee.

Hon. Mr. DAVIS—Will the Bill go through Committee of the Whole ?

Hon. Mr. LOUGHEED—There is no good reason why afterwards it should not, if the House desires that it be submitted to a Committee of the Whole, I have no objection.

The motion was agreed to, and the Bill was read the second time.

LOAN COMPANIES BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (83) An Act respecting Loan Companies. He said: The explanation which I made as to the Trust Companies Bill is equally applicable to this measure. The objects are practically the same, and it is proposed to send this Bill to the Banking and Commerce Committee, to be dealt with in the same way as the preceding Bill.

Hon. Mr. BOSTOCK—Does my hon. friend not distinguish between Trust Companies and Loan Companies, to a considerable extent? The position is not the same because these loan companies, acting as a trustee of other peoples' estates will be simply loaning money for the purpose of making money out of their business, and to that extent I do not know that it is so necessary that they should be looked after as strictly as a trust company.

Hon. Mr. LOUGHEED—Their relation to the public may be said to be quite as important as the relation of trust companies, and the question of uniformity, also of regulation, and the application of restrictions, such for instance as to investments, audit, inspection and all that kind of thing, can be made applicable to loan companies quite as advantageously and as much in the public interest as the same would apply to trust companies. Loan companies, as my hon. friend doubtless knows, take deposits very largely, and conduct, in a measure, that class of business which banks do, so far as that business seriously affects the public in the acceptance of deposits, and certainly those principles which are applicable to trust companies are equally applicable to loan companies.

Hon. Mr. KERR—Is it proposed in both cases to make the Bills applicable to existing companies, so that companies which have been heretofore incorporated, either by special Act or by letters patent, shall be subject to whatever conditions and restrictions are imposed under this legislation on companies to be hereafter incorporated?

Hon. Mr. LOUGHEED—It does not propose to abridge any of the powers heretofore given to companies, but it proposes to apply to those companies such regulations and restrictions, so far as auditing, inspection, investment and that kind of thing is concerned, as would apply to loan companies which may hereafter be incorporated under this legislation.

Hon. Mr. KERR—Does not that manifestly draw a line of distinction between companies, either as to the proportion of capital to loan or otherwise, and trust companies heretofore incorporated? Does it not place new companies at a disadvantage in that respect, and does it not draw a line of distinction between the companies to which this Act must apply, and companies already existing? The result may be to give quite a premium to existing companies which possess and exercise greater powers than will be conferred under this Act.

Hon. Mr. LOUGHEED—It will certainly place companies hereafter incorporated at a disadvantage, wherein they cannot secure powers equal to the extraordinary powers given under past legislation to existing companies; but it may be very well said that because an abuse has arisen in the past, it therefore should not be continued in the future. It is felt by the Government that the powers which may be given to loan or trust companies under this legislation will be sufficiently wide to permit of those companies doing a business legitimately within the bounds of either a loan or a trust company, as the case may be.

The motion was agreed to, and the Bill was read a second time.

INSPECTION AND SALE AMENDMENT BILL.

SECOND READINGS.

Hon. Mr. LOUGHEED moved the second reading of Bill (71), An Act to amend the Inspection and Sale Act.

He said: The object of the amendments to the inspection Act is to relieve binder twine, manufactured for export, from being marked or stamped, as is now required by the existing law.

Hon. Mr. POWER—Why?

Hon. Mr. LOUGHEED—It is thought that if binder twine is being manufactured for export it is therefore unnecessary that it should be charged with all the restrictions, so far as stamping and labelling, that apply to binder twine that is used within the country. My hon. friend asks why. The policy of protecting the public within the country is manifestly desirable and good policy, but we are not called upon to protect the outside public as to the manufactures of this class of goods made for export.

Hon. Mr. TALBOT—Does this Bill require that twine for the home market shall be stamped?

Hon. Mr. LOUGHEED—Should any of this twine be used within the country, then it becomes subject to the existing regulations applying to twine that is manufactured for consumption within the country.

Hon. Mr. DAVIS—Does not my hon. friend think it is just as necessary to keep up our reputation outside of the country as inside the country? Should we not be as honest in dealing with people outside the country as we are required to be in dealing with our own people?

Hon. Sir LYMAN MELVIN JONES—In a matter of this kind it does not follow that it is a case of our reputation, because under the conditions of the law as it exists in Canada, it is, in many cases impossible to export the goods. Different countries have different rules in reference to conditions imposed upon a dealer in that particular country. The case in point which brought this legislation before this House—and it is probably an illustration that explains to the House the condition as well, or better than trying to do it otherwise—was this, of which I happen to have personal knowledge; tenders for a large quantity of binder twine were asked by a company in Russia importing goods from America. Prices were asked from different companies, and a tender was offered by a Canadian company. On the tender being accepted, it was found that under the law, as it existed the Canadian company was unable to manufacture binder twine or sell it in Canada unless they put their name and the number of feet per pound on a tag attached to each bale of twine. That is an excellent idea, and it has been in force for some time, and it protects the purchaser in Canada.

Hon. Mr. TALBOT—That is why it was put there.

Hon. Sir LYMAN MELVIN JONES—That is why it was put there. The change in the law does not affect the business in Canada, but this change says that in case the Canadian manufacturer has an opportunity to export twine, such as the case as I speak of, he may put such a tag on that exported twine as the purchaser desires to have upon it. That is the exact condition. In this particular case the purchasers neces-

sarily made the request that they must have on it the manufacturer's signature, and a certain trade mark in Russian characters or letters, which made a very elaborate tag, and was a necessity to the selling of the binder twine in Russia. A Canadian manufacturer of binder twine, under the law, without this change, cannot make and sell that twine in Russia, because the law says he could not make it even though he is exporting it. It will appeal to every member of the House, that while it is extremely desirable to protect the purchaser in Canada and to have on every ball of twine the number of feet and the name. If the manufacturer is going to compete in Russia—is going to bring business to Canada, in fact—we need not restrict him by such conditions. If a manufacturer can get that order, so much for the benefit of Canada. It is not a disadvantage, it is all an advantage, and it is an advantage to the user where it is going, because he would not know what our condition of manufacture meant, if he saw it on a tag; not one in ten thousand would be capable of reading it. Thus it is an absolute necessity to that kind of export business that the manufacturers should be allowed to put out a tag different from what the law has required heretofore in Canada.

Hon. Mr. TALBOT—It is not up to us to look after the interests of the Russian farmer, but I would like to say that I would be sorry for them, if they are in the condition that Canadian farmers were before the law compelling the manufacturers to stamp their goods, was passed.

Hon. Sir MACKENZIE BOWELL—Let them deal with that.

The motion was agreed to, and the Bill was read the second time.

SECOND READING.

Bill (93), An Act respecting the Prince Edward and Hastings Railway Company.—Hon. Sir Mackenzie Bowell.

SASKATCHEWAN CENTRAL RAILWAY COMPANY BILL.

MOTION.

The Order of the Day being called:

Consideration of the message from the House of Commons disagreeing to the amendments made by the Senate to Bill (49), an Act respecting the Saskatchewan Central Railway Company.—Hon. Mr. Davis.

Hon. Mr. DAVIS—We have been discussing the question of uniformity all the afternoon with respect to a certain Bill. I would like to point out how that has been carried out with reference to railway legislation during this session. Here is a company that is incorporated to do business in the district which I represent in this House, the Prince Albert district. It was incorporated only in 1910. This company has put up $75,000, but on account of the stringency of the money market they were unable to go on with the construction, and they came back here and asked for the ordinary terms of extension, from two to five years. The company was organized only three years, yet this extension was refused, although Acts have been passed in the House of Commons embodying this clause in the case of the following Bills:—Nos. 16, 17, 18, 19, 34, 36, 37, 39, 42, 46, 55, 88, 91, 93, 95. I would point out to the House further that some of those Bills have been renewed from year to year for a great many years. In the case of No. 16, an Act respecting the Ottawa and Northwestern Railway Company. that company was incorporated as far back as 1901. Number 17 is also an old Bill; 18 is also old; and so on all down the line; but when it comes to this special Bill, the sheep have been separated from the goats, for what reason I do not know. Why the House of Commons has rejected this special Bill, ignoring the fact that the promoters have put up $75,000 in the way of organization, and passed other Bills in which extensions and renewals have been asked time and time again, I cannot understand. I do not think it is fair to the people who are promoting this enterprise. I know some of them, and they have some money, whereas the promoters of a great many of those other Bills could not show much in the way of a bona fide investment. The people interested in this Saskatchewan Central Railway Company are entitled to the same courtesy as the others to whom I have alluded in the Bills mentioned. I understand that there are certain reformers who have got into the Railway Committee in the other House, and I suppose that when those reformers are present on special occasions something has to be knifed; when there is something they do not want to knife the reformers are not on the ground. We object to the Bill being treated in this way. We would rather not have the Bill at all if we are going to be singled out in this way. I would therefore move:

That this House adheres to the amendments made by the Senate to Bill (No. 49) An Act respecting the Saskatchewan Central Railway Company, for the following reasons:

1. Bill No. 12 (present session) the Calgary and Edmonton Railway Company, incorporated in 1890, initiated in the Commons, amended by the Senate, granting extensions for two and five years respectively instead of one and three years, said amendments concurred in by the Commons.

2. In Bills Nos. 16, 17, 18, 19, 34, 36, 37, 39, 42, 46, 55, 88, 93 and 95 of the present session, extensions for two and five years respectively have been granted. The original incorporations of said Bills bearing date beginning from 1884 down to 1912.

3. The usual opportunities should be given the Saskatchewan Central Railway Company, incorporated by chapter 160, of the Statutes of Canada, 1910, and time first extended in 1912, to finance to build its lines of railway and develop the country to be traversed, as the parties interested in the company under the powers of its Act of incorporation and the Railway Act, have shown their faith in the enterprise by duly organizing and securing the amount of money required for said organization purposes, namely, $75,000 and because owing to unforeseen delays and stringency in the money market, the company has up to the present date been unable to obtain the necessary funds, namely, $450,000 required under its Act of incorporation, and by section 150 of the Railway Act, to be spent within two years as commencement of construction, or otherwise the powers of construction granted in the Act of incorporation cease and be null and void and because those interested in the company are of the opinion that if the usual extension of time for the periods of two and five years respectively is granted to the company, to commence and complete the construction of its railways, they will be prepared within said periods to make substantial and material progress in the work of construction.

The motion was agreed to.

BILL INTRODUCED.

Bill (97), An Act to incorporate the Labrador, Quebec and Southern Railway Company.—Hon. Mr. Belcourt.

Hon. Mr. LOUGHEED moved that the House do now adjourn until Tuesday next at 3 p.m.

Hon. Mr. DERBYSHIRE moved in amendment that the hour be 8 p.m. instead of 3 p.m.

The SPEAKER—That amendment can only be moved with the leave of the House. The question now is that the House adjourn until Tuesday next at 3 o'clock. With the consent of the House I will put the amendment.

Hon. Mr. POWER—No, no consent.

The motion was agreed to, and the Senate adjourned until Tuesday next at 3 p.m.

THE SENATE.

Tuesday, May 5, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

CANADIAN PACIFIC RAILWAY MILEAGE CONSTRUCTION.

INQUIRY.

Hon. Mr. CASGRAIN inquired of the Government:

1. How many miles of railway have the Canadian Pacific Railway Company or its subsidiaries built during the last fifteen years?
2. Where is this mileage situated, if any?
3. Did any other railway company build any miles of railway without subsidy from this Government? If so, where?

Hon. Mr. LOUGHEED—The answers to the hon. gentleman's questions are as follow:

1. Year.	Miles built.
1899	383
1900	192
1901	418
1902	30
1903	118
1904	623
1905	236
1906	208
1907	377
1908	273
1909	452
1910	392
1911	210
1912	502
1913	619
Total	5,033

2. Since 1907 increase in Canadian Pacific railway mileage by provinces:

	Ontario.	Manitoba.	Saskatchewan.	Alberta.	British Columbia.	Quebec.	New Brunswick	Total.
1907	150	44	76	44	63	.....	.....	377
1908	205	10	55	.....	3	.....	.....	273
1909	52	.....	400	.....	.....	.....	.....	452
1910	.....	7	124	167	3	91	.....	392
1911	4	30	50	3	11	32	80	210
1912	.....	37	236	229	.....	.....	.....	502
1913	195	26	319	33	45	1	.....	619
	606	154	1,260	476	125	124	80	2,825

Information by provinces not available prior to 1907.

3. The following railway lines were built without any aid from the Dominion Government:

Name of Company.	Province.	Mileage.
Bedlington & Nelson	British Columbia	12.04
Brandon, Saskatchewan & Hudson Bay	Manitoba	69.45
British Yukon	British Columbia 31·22 Yukon 69·90	101.12
Carillon & Grenville	Quebec	13.00
Crows Nest Southern	British Columbia	74.18
Eastern, B.C.	British Columbia	16.00
Kaslo & Slocan	British Columbia	23.37
London & Port Stanley	Ontario	23.66
Manitoba & Great Northern	Manitoba	91.77
Midland of Manitoba	Manitoba	6.40
Montreal & Atlantic	Quebec	163.40
Montreal & Vermont Junction	Quebec	23.60
Morrissey, Fernie & Michel	British Columbia	5.82
Nelson & Fort Sheppard	British Columbia	55.42
Maine Central	New Brunswick	5.10
New Westminster Southern	British Columbia	23.73
Red Mountain	British Columbia	9.59
Rutland & Noyan	Quebec	3.39
Stanstead, Shefford & Chambly	Quebec	43.00
Vancouver, Victoria & Eastern	British Columbia	236.08
Victoria & Sidney	British Columbia	16.96
Wellington Colliery Co.'s Railway	British Columbia	10.75
		1,027.83

BILL INTRODUCED.

Bill (H-3), An Act for the relief of Georgina Beatrice Boyd.—Hon. Mr. Derbyshire.

THE LATE HON. WILLIAM GIBSON.

Hon. Mr. LOUGHEED—Before the Orders of the Day are proceeded with it is my melancholy duty to direct the attention of the Senate to the loss of our late colleague Senator Gibson, who died yesterday at his residence in Beamsville.

During the earlier part of the session he had been present with us, interesting himself as he had done for years in the business of this Chamber. The news of his death has, therefore, come to us somewhat unexpectedly. Death is invariably sad but its sadness becomes more deeply impressed upon our minds when to-day we find our colleagues engaged in the ordinary duties of life and to-morrow we learn of their having departed to the great unknown. Public life to our late colleague was to him very largely the breath of life. He had for a great number of years devoted the best part of his time and energy to the discharge of his public duties. Few public men took a deeper interest in the discharge of their public duties than did the late Senator Gibson. To such an extent did he interest himself in what I might call the domestic affairs of the Senate during his term of office, he seemed to come more closely in touch with the members in the discharge of those duties than did other members of this Chamber.

Although he represented many large and varied business interests yet the public service which he rendered was as if it were his chief interest in life. He brought into the public sphere in which he moved a large and practical experience of business affairs. His was a judgment which commanded the attention of those with whom he was associated. Particularly in the work of this Chamber his opinion and his judgment carried weight and respect. Although he had always been a strong party man and for a generation had fought the battles of his party, yet his personal and social qualities appealed most strongly to those who differed with him politically, and his friendly relations were never marred by any appearance of partisanship. He had for many years been a leading figure in the public affairs of the great province to which he belonged and was an outstanding figure in the commercial and financial interests of that province.

Those who knew him best will most deeply feel his loss and to-day the members of this Senate will join in the many expressions of sympathy which will be tendered to his sorrowing family in the loss of one for whom many will mourn.

Hon. Mr. BOSTOCK—In rising to express the feelings of the members on this side of the House on the death of our late colleague Senator Gibson, I feel that it might have fallen into better hands than mine to express our regret on this occasion. As was well said by the leader of the Government, the late senator was one with whom we were all closely in touch, who brought to his work in this Chamber the ripe experience of a man who had from his early days been trained to do his duty to his country and to take his part in the life of the country in which he was living. Born in Scotland and trained there till he was about the age of twenty-one, he came to this country at a time when he was in the first vigor of his youth, and was able to use, to the greatest advantage, the training and education he had received in his native home, Scotland. For many years he was engaged in public business connected with prominent works, both in Ontario and Quebec, such as the St. Clair tunnel, and the building of the Victoria bridge, Montreal. He was a prominent man in the contracting work of this country, and he took tremendous interest in all subjects that dealt with the future work of the development of Canada. To all who knew him his energy and his business ability were of great assistance; we felt that he took great interest in everything that was before him. Those who have been in contact with him as Chairman of the Banking and Commerce Committee of the Senate, realize what his ability was in connection with all financial and banking matters that came before that committee. As has been said of him before, he was a genial, loyal and kindly-hearted Scot who was beloved by those who came in contact with him, and we feel that the most sincere sympathy goes forth to the widow and family of one who was always a good father and a good husband.

Hon. Mr. FROST—As a friend of the late Hon. Wm. Gibson, I desire to make a few remarks in memory of our late colleague, and to confirm as well all the kind things said about him by the leader of the Government and the leader of the Opposition. It is not my intention to go over the ground taken by them, but rather to speak in a spirit of praise and commendation of his course in the affairs of life generally. Coming to Canada at an early age, he soon rose in the esteem of his neighbours and friends, and by their help he found himself shortly a member of the House of Commons. Later he was called to the Senate of Canada, where he soon became Chairman of the Banking and Commerce Committee, and which position was his when, on yesterday, he passed to the Great Beyond. As a man he stood for honesty of purpose; everything to which he set his hand he did as one imbued with a determination to have the right at all cost. His word was as good as his bond, and if wealth came as the result, it came honestly, and no one begrudged it to him. He lived by good principles, because he had those in him which always guided him right—he could do nothing else. In later years it was his pleasure to become identified with many enterprises, putting his money in companies, by way of assistance to the country as much as gain. When at home, as president of one of our strong banks, he was always found at his post, and his presence now will be greatly missed by his colleagues. By those of us who knew his worth he was always regarded with esteem and affection. He had his faults, for he was only human, like the rest of us; and we can well throw over them the mantle of charity. To his sorrowing wife and family our heartfelt sympathy is given in full measure, and to the friends in this Senate of Canada who look upon a vacant chair to-day, we can only say with the poet:

'What shadows we are and what shadows we pursue.'

THIRD READING.

Bill (89) An Act respecting The University of Saskatchewan, and to change its name to "The University of Emmanuel College."—Hon. Mr. Bostock.

CONTINGENT ACCOUNTS OF THE SENATE.

MOTION POSTPONED.

The Order of the Day being called:

Consideration of the motion of the Hon. Mr. Thompson, appealing against the Ruling of His Honour the Speaker, on the motion for the adoption of the second report of the Committee on the Internal Economy and Contingent Accounts of the Senate.

Hon. Mr. LOUGHEED—I have contracted the habit of asking that this motion shall stand until to-morrow—

Hon. Mr. POWER—This is the last time of asking.

Hon. Mr. LOUGHEED—I shall ask my hon. friend to-day to allow it to stand until to-morrow, and by that time I will try to break myself of this habit, and not again ask to postpone the motion.

Hon. Mr. THOMPSON—It seems to me it is proper to pay deference to the hon. leader of the House. Where he is going to lead us I do not know, but as the hon. leader assumes the responsibility, with the consent of the House, I move that the Order of the Day be discharged, and that it be placed on the Orders of the Day for to-morrow.

The motion was agreed to, and the Order of the Day postponed accordingly.

SECOND READINGS.

Bill (D-3), An Act to incorporate The General Council of The Canadian Branch of the St. John Ambulance Association.—Hon. Mr. Mason.

Bill (E-3), An Act respecting the North Shore Power Railway and Navigation Company, and to change the name thereof to "Gulf Pulp and Paper Company."—Hon. Mr. Boyer.

GOVERNMENT RAILWAYS SMALL CLAIMS ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (122) An Act to amend The Government Railways Small Claims Act.

He said: This Bill is not an important measure. It is intended to correct a difficulty which was brought about by the amendment of the Act last session. Previous to the general manager of Government railways being appointed, the railway was managed by the Government Railways Managing Board, and in the legislation which this amends, it was provided that all proceedings should be taken against that particular body. Since the appointment of a general manager of the Government railways, it will be quite obvious that an amendment of this character is necessary, so that hereafter any suit brought, in the class mentioned in the legislation of 1910 and 1913, will be brought against the general manager of Government railways.

Hon. Mr. POWER—Before the Bill is referred to Committee of the Whole House. I wish to direct attention of the hon. gentleman in charge of the Bill to what I look upon as an omission in the third column, line 19, which reads as follows:

> All actions, suits and other proceedings now pending which have been instituted against the Government railways managing board may be continued.

Should the language not be 'by or against,' because you provide before for actions by the managing board, and if any action has been taken by the managing board, the general manager should be substituted?

Hon. Mr. LOUGHEED—Yes. My hon. friend will be good enough to suggest an amendment in committee.

Hon. Mr. POWER—I call attention to it to see whether it is not desirable to make the change.

The motion was agreed to, and the Bill was read the second time.

THE CONTINGENT ACCOUNTS OF THE SENATE.

MOTION.

Hon. Mr. THOMPSON moved concurrence in the third report of the Standing Committee on the Internal Economy and Contingent Accounts of the Senate.

Hon. Mr. POWER—There is just one point to which I wish to direct the attention of the Senate. I understand that the committee, when they made this recommendation, were under the impression that Mr. Gross should be appointed at the present salary, but I have reason to know that recently, a few months ago, arrangements were made that Mr. Gross should be promoted from sub-division A of the second division to sub-division B of the first division, so that his salary would run from $2,900 to $4,000 per annum.

The SPEAKER—Where is the evidence of such an arrangement? This report is based on a recommendation that I made to the House, and the recommendation says that he will enter our service at the same salary that he has been receiving in the Auditor General's Department.

Hon. Mr. POWER—If it is a fact that Mr. Gross has been promoted, then of course he is entitled to the salary to which

the step entitles him. I am not quarrelling with the decision; I am simply indicating what the effect of it may be.

Hon. Mr. KERR—The report of the committee that is now under consideration will be found at page 518 of the Minutes of Proceedings. It says that Mr. Gross, of the Auditor General's office, is to be appointed 'Accountant of the Senate at the same salary as he is now receiving in his present position.'

Hon. Mr. WATSON—What is the salary of his present position?

The SPEAKER—It is the salary fixed for a class lower than the one he has been appointed to.

Hon. Mr. YOUNG—If the hon. gentleman refers to the Speaker's report he will find that Mr. Gross is to be appointed at the same salary he is now receiving in his present position. That is, if the report of the Speaker is adopted, the salary that Mr. Gross was receiving at the date of that report is the salary on which he will enter upon his duties here.

The motion was agreed to.

THE RAILWAY BILL.

MOTION.

Hon. Mr. YOUNG moved concurrence in the first report of the Special Committee to whom was referred (B-2) 'An Act to consolidate and amend the Railway Act.

Hon. Mr. DAVIS—As I read this report, it recommends that leave be given the committee to hold sittings while the House is in session and during adjournments of the House. I do not think it would be wise that the committee should sit while the House is in session, because this is a very important public Bill. It may possibly go to a Committee of the Whole House after it is reported from the committee; if so, members who are not in a position to attend the meetings of the committee will have an opportunity of discussing the Bill when it comes before the House in Committee of the Whole. On the other hand, it will facilitate matters if the committee will meet at the regular hours so that every member may have an opportunity of being present and hearing the evidence submitted to the committee. In that way the Bill is likely to go through the House with less opposition and delay than might otherwise occur. I understand from gentlemen who are interested in the Railway Act—transportation corporations, municipalities, etc.—that they expect to be heard, and it is nothing but right that the evidence should be taken and printed so that every member would be in a position to read it and understand the question.

Hon. Mr. LOUGHEED—That is the intention.

Hon. Mr. DAVIS—There is nothing in the report about reporting the evidence. Is it the intention of the Government to have this Bill submitted to a Committee of the Whole House as a public measure?

Hon. Mr. LOUGHEED—Every Bill is in the hands of the House and could be referred to a Committee of the Whole with the approval of the House. I see no good reason why my hon. friend should not have this Bill referred to a Committee of the Whole if the House so desires.

Hon. Mr. DAVIS—At this late date of the session, when it is not only the hope, but the expectation of members of both Chambers that we will get through our business by the 1st of June—

Hon. Mr. DANDURAND—July.

Hon. Mr. DAVIS—I understand it is expected that the business will be completed by the 1st of June. If so, it is ridiculous to suppose that a Bill like this could pass this session, because it will take a lot of time in the committee and a lot of time in the House. In the committee, evidence will have to be taken of people coming from various places all the way from the Atlantic to the Pacific and I do not see any sense in attempting to rush the Bill at this time. The Railway Committee has practically completed its business for this session, and I should think this Special Committee would practically take its place in dealing with this measure. If they hold their meetings from half past ten or eleven and sit till one every day and take evidence, every member who wishes to be present and ask questions can do so. It would facilitate the progress of the Bill; otherwise there will be as much work to be done here in this Chamber afterwards as in the committee. I see no advantage to be gained by the proposition to hold sittings simultaneously with the House.

Hon. Mr. YOUNG—The object in view is to accommodate parties who are anxious to give their evidence and leave the same day. In case a witness is heard in the forenoon and his evidence is incomplete when

the committee rises, it might be a convenience to him if the committee could sit in the afternoon and complete his evidence in order that he might be able to leave the city the same day. There is no desire on the part of the committee, I take it, to sit during the time the House is sitting, because no doubt the members of the committee in both Houses will be just as anxious as my hon. friend to be in attendance in their places in the House. As to the meetings of the committee, in a private conference I had to-day with the chairman of the Committee in the other House we discussed that situation—the question will be brought up at the next meeting of the joint committee. The meetings will be held as conveniently as possible, not only for both Houses, but also for the public who will be in attendance to give evidence, and argue for and against the various clauses of the Bill. My hon. friend will see the difficulties we have in weaving in the time of a special committee between the various other committees. Even although, as he says, some of them have very little to do, that little may interfere with the meetings of this special committee, when there are set days for the meetings. However, we are going to arrange that the meetings shall be as frequent as possible, and interfere as little as possible with meetings of committees and of the House. I can speak with confidence in that regard, and say that my hon. friend need have no fears.

Hon. Mr. CLORAN—There will be expenses incurred in taking this evidence and having it published. I would ask against what fund that expense would be charged, whether the House of Commons fund or the Senate fund? It would be wise that the leader of the Government should see to that, for the expense will be enormous before the work is finished of taking all this evidence, and the very fact of having it printed will lead to more evidence being given than is actually required, and if it is going to be charged up against the Senate funds we will be doing an act of charity to the House of Commons that they do not need.

Hon. Mr. DAVIS—Do I understand that witnesses who will come and give evidence before this committee, are to be taken charge of and paid by the Government?

Hon. Mr. LOUGHEED—No.

Hon. Mr. DAVIS—I would not think so. I should think any one who gives his evidence there would give it gratis.

Hon. Mr. YOUNG.

Hon. Mr. DANDURAND—I suppose the spending House, which is the other House, can afford to take the lead in this matter and vote the necessary supply to cover the expenses.

Hon. Mr. LOUGHEED—We can, I think, get the Commons section to report to the House of Commons that the expenses be paid.

The motion was agreed to.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

Wednesday, May 6, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

SHORT MEASURE BINDER TWINE.

INQUIRY.

Hon. Mr. TALBOT inquired of the Government:

1. What manufacturers of binder twine in Canada have been fined since 1896 for selling twine of short measure or weight?
2. The year of the offence?

Hon. Mr. LOUGHEED—The answers are as follows:

1. The M. J. Wilson Cordage Company, of Chatham.
2. 1903.

CONTINGENT ACCOUNTS OF THE SENATE.

MOTION.

The SPEAKER laid on the Table the following recommendation:

Clerk's office,
Ottawa, May 6, 1914.

The Hon. P. Landry,
Speaker of the Senate.

Sir,—I have the honour to invoke your attention to the fact that the present session of Parliament has now reached that stage when the greatest quantity of legislative work is done, and that owing to certain vacancies which have occurred in the staff of the Senate since last session, it is suggested, in order to promote its efficiency, that a reassignment of duty among its members is advisable. I would therefore suggest:

1. That Mr. J. C. Young be appointed deputy clerk and first clerk assistant, in addition to his present duties of clerk of Routine and Proceedings and clerk of stationery.
2. That Mr. Byron Nicholson be appointed clerk of English Journals.
3. That Mr. A. R. Soutter be appointed clerk of Minutes of Proceedings.

4. That Mr. A. H. Hinds be appointed chief clerk of Committees at the minimum salary of sub-division 'B' of the first division.

5. That Mr. C. H. Jones be appointed clerk of Petitions and assistant clerk of Committees.

6. That Mr. Alphonse Roy be appointed a clerk in the Law Department at the minimum salary of sub-division 'B' of the second division.

While this reassignment of duties would appear, by the promotion of Mr. Hinds, and the appointment of Mr. Roy, to increase the annual expenditure on account of salaries by $1200, the reverse is the case, as the salary of $3,300 heretofore paid to the late first clerk assistant, Mr. Stephen, is done away with.

I have the honour to be,
Sir,
Your obedient servant,
Saml E. St. O. Chapleau,
Clerk of the Senate.

Recommended
P. Landry,
Speaker of the Senate,
May 6, 1914.

Hon. Mr. THOMPSON—The recommendations, now laid on the table by the Speaker, cover entirely the recommendations that were presented to the House by the report of the Committee on Internal Economy and Contingent Accounts. As I am particularly favourable to the principle of peace on earth and good will towards men, and as we have found common ground under a flag of truce in respect to this matter, I move the adoption of the report.

The motion was agreed to.

THE LIBRARY OF PARLIAMENT.

MOTION.

The SPEAKER submitted a message from the House of Commons acquainting the Senate that they had concurred in the recommendation of the Speaker of the House of Commons in the matter of the proposed appointment of Mr. Herbert D. Throop, as permanent messenger in the Library of Parliament, laid on the table of the House with other papers in connection therewith on the 20th instant.

The message was read to the House.

The SPEAKER—I wish to call the attention of the House to the following facts which are very important to the Senate on account of the position which this House occupies concurrently with the House of Commons in the appointment of officers on the library staff. The librarians, who are considered as deputy heads, under the jurisdiction of the two Houses, made a report to the House of Commons, which report reaches us to-day, sent by message from the House of Commons a few days ago. I did not bring the matter before the House until I had seen the librarians and asked them to send the same report to the Senate, because the Senate has an equal right with the House of Commons to have a report of those nominations made to this House. It is the joint concurrence of the two Houses that confirms the appointment. The message of the Commons stated what had been done in that House, i.e. that the report of the librarians had been approved by the House of Commons, but I did not want to lay that message before the Senate until I had the real duplicated report dated the same day and supposed to have been sent to the Senate on the same date as the one was sent to the Commons, so that this House could not be influenced by any decision taken by the House of Commons. In consequence I have the honour to lay before you the following report:

Library of Parliament,
Ottawa, April 17, 1914.

Sir,—The librarians have the honour to recommend the appointment of Herbert D. Throop, aged 24, to fill the place of one of the permanent messengers recently deceased; and that the salary of the said Herbert D. Throop be $600 per annum, beginning on March 25 the day of which he entered provisionally on his duties. The said Throop has duly qualified himself by passing the C. S. examination.

We have the honour to be,
Sir,
Your obedient servants,
A. D. DeCelles,
General Librarian,
Martin J. Griffin,
Parliamentary Librarian.

To the Hon. the Speaker,
The Senate.

I recommend that nomination as Speaker of the Senate.

Hon. Mr. LOUGHEED moved that the recommendation be adopted.

The motion was agreed to.

BILL INTRODUCED.

Bill (102), An Act to regulate the manufacture and Sale of Dairy Products and to prohibit the manufacture or sale of butter substitutes.—Hon. Mr. Lougheed.

CONTINGENT ACCOUNTS OF THE SENATE.

ORDER DROPPED.

The Order of the Day being called:

Consideration of the motion of the Hon. Mr. Thompson, appealing against the ruling of His Honour the Speaker, on the motion for the adoption of the second report of the Committee on the Internal Economy and Contingent Accounts of the Senate.

Hon. Mr. THOMPSON—I move that this order be dropped.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. THOMPSON—The question, in respect to the second report of the Committee on Internal Economy, covers a sort of formal report, in respect to an audit on the accounts, and it can be dealt with at the next meeting of the committee. In view of our having found common ground in respect to the other references that were made in the report, I move that the order be dropped, together with a report of the committee on the whole matter.

The SPEAKER—I may suggest to the hon. member that the first part of the report may be concurred in.

Hon. Mr. THOMPSON—We can deal with that at another meeting.

The motion was agreed to.

RENEWAL OF PATENTS.

MOTION POSTPONED.

Hon. Mr. CASGRAIN, in the absence of the Hon. Mr. Kerr, moved the second reading of Bill (C-3), An Act respecting a certain Patent of Frederick Sinclair Corrigan.

Hon. Mr. THOMPSON—The hon. gentleman had better give us an explanation. We are resolving ourselves into a patent office here the last two years, for issuing patents.

Hon. Sir MACKENZIE BOWELL—Hear, hear.

Hon. Mr. THOMPSON—At any time a matter of this kind is brought before the House we ought to be put in possession of some of the facts, which are considered of sufficient importance to revive or regalvanize a patent into life again that is practically out of court.

Hon. Mr. CASGRAIN—In the absence of the Hon. Mr. Kerr I may say that this is a private Bill and will be referred, in due course, to the committee, where any objection can be made and parties can be heard. This House will be in a very poor position to-day to discuss this motion before we have a report of the committee thereon.

Hon. Mr. DAVIS—On the second reading of any measure we are adopting a principle. The hon. member from Fredericton (Hon. Mr. Thompson) objects to the principle of turning this House into a patent office; therefore, the promoter of this Bill, or whoever is in charge of it, ought to be in a position to give this House some information before he asks for the second reading; whoever is acting for him should ask for the discharge of the order, until the hon. gentleman returns.

Hon. Mr. CASGRAIN—I am sorry I cannot accede to that request. This is a most unusual proceeding. I told the Hon. Mr. Kerr that I would move the second reading. Moreover, this is a private Bill, and such Bills are always referred to the committee. I do not know of any instance, in many sessions back, where any objection was made to send a Bill to the proper committee. The hon. gentleman will not, I hope, insist under the circumstances. The session is very far advanced. The Hon. Mr. Kerr moved and the House agreed to suspend some rules in reference to this very Bill, in order that it might be considered by the committee and sent to the House of Commons, so that it could be passed in time this session.

Hon. Sir MACKENZIE BOWELL—The Hon. gentleman is in error when he says that these Bills have always been passed on the second reading without discussion. Over and over again I have objected to the passing of Bills of this description until an explanation has been given to the Senate. True, the practice has been the passing of the second reading of such Bills without any objection whatever; that has been so common that I have found I was standing alone in objecting. I am very glad to see my hon. friend raise the same objection that I have made over and over again. True this is a private Bill, but the House has to affirm the principle of the Bill. It is well known that when a Bill passes the second reading in this House, though it be a private Bill, we affirm a principle. But no one knows the reasons that the party promoting this Bill has for seeking the renewal of the patent. In very many cases I have found, on examination, that parties obtained a patent from the proper authorities, and allowed it to stand from year to year until they found that somebody was going to take advantage of it and commence the construction or manufacture of the article patented; then, in order to cut out this competition, the owners of the patent ask for a renewal, and we have been in the habit of acting for the department that grants the patents, just as indicated by my hon. friend from Fredericton (Hon. Mr. Thompson). The

better way will be to adopt the suggestion of the hon. member from Saskatchewan (Hon. Mr. Davis) in order that the gentleman from Toronto who has this Bill in charge may make some explanation as to the reason for asking the second reading of this Bill; therefore I move that the order be discharged and set down for to-morrow.

Hon. Mr. ROSS (Middleton)—I second that motion. I agree with the remarks of the previous speakers as to the inconvenience of passing a Bill through its second reading, without one word of explanation; it is not fair to the great body of the members. There are only a few members on the committee to which this Bill will go, and it is just possible a Bill may pass through this House, after its reference to a committee, without a member having a chance of seeing what it really is. With regard to Bills of this kind, we all know why the application is made—because a mistake was made—and I can understand if a man made a mistake about the date when he ought to pay fees, or something of that kind, his application might be a meritorious one—but a man who deliberately allows his patent to run out for six months or a year, and then comes to this House to have it renewed, has no claim at all; we ought to know the facts before we are asked to vote.

Hon. Mr. THOMPSON—Hear, hear.

Hon. Mr. McHUGH—As a member of the Miscellaneous and Private Bills Committee I may say, in looking over this Bill, that the application is made owing to the fact that the fees were not paid in time. The committee has laid down a rule, which has been accepted by the department, to renew a patent on sufficient evidence being given as to the cause of neglect, if it be not through any fault of the patentee, but through the fault, perhaps, of a solicitor or some of his clerks. The committee will not recommend a renewal except on statutory declaration as to the cause of the non-payment of fees. This Bill might safely be left in the hands of the committee to deal with, and then, if the House wants the evidence received by the committee, it can be produced before them. The renewal of the patent will not be granted by the committee unless declarations are received which they consider satisfactorily explain the non-payment of dues; the House can have the benefit of these afterwards.

Hon. Sir MACKENZIE BOWELL—May I ask the hon. gentleman, who I think is chairman of that committee, if the committee has ever refused a patent application?

Hon. Mr. McHUGH—Though I was for some years, chairman of that committee, Hon. Mr. Bostock is at present Chairman. During my time as Chairman, or since then, I do not think the committee ever refused an application where they thought the evidence of neglect of payment of dues was sufficient to warrant them in renewing the patent.

Hon. Mr. BOSTOCK—For the last year or more the committee can pride themselves that they have taken great pains to ascertain the facts in reference to these patent Bills, owing very largely to the remarks that my hon. friend from Hastings has made on former occasions in the House about these Bills. We have insisted always on receiving an affidavit from the people who came before us, setting forth the reasons why they required to come before this House to ask for an extension of time to get these privileges. In view of the procedure of the committee, we should allow this Bill to go through in the ordinary course; the committee will see that it is very carefully looked into.

Hon. Mr. DAVIS—It has been pointed out that this is a private Bill. Under our rules, private Bills do not go through the Committee of the whole House; as has been pointed out, very few members of this House are on that committee. When that Bill comes back here, it goes through the House without any discussion, and I am bound to say that a great number of the members of this House may know nothing about it. I do not think it is an outrageous proposition that, when somebody introduces a measure of that kind, this House should ask for an explanation. There are members here who are not members of the Private Bills Committee, and while the suggested reference to the committee may be satisfactory to members of the committee, it is not satisfactory to me, as a member of this House, because I am not on that committee and will probably not hear anything of that discussion. The amendment of the hon. member from Hastings is reasonable, that this matter be put off until the hon. gentleman who has charge of the measure can come here and make an explanation to this House. We would like to hear his explanation, rather than that of the committee, which is only a creation of this House.

Hon. Mr. DANIEL—No interest will suffer by allowing this Bill to be taken off the Order Paper to-day, and put on again for to-morrow or some other day when the hon. gentleman who has charge of it is present and able to give some explanation of the Bill. It is very unusual indeed for this House to pass the second reading of a Bill without the slightest explanation of any kind. The remarks just made by the hon. gentleman who sat down are quite to the point—that while the committee may get some explanation in regard to this Bill, this Chamber, a large majority of whom have no connection with the committee, will know nothing whatever about the measure. It is not asking very much to request that this Bill shall stand over until the hon. gentleman who has charge of it can explain its provisions; the House is entitled to that.

Hon. Mr. DANDURAND—I suggest that exception might be made for this Bill, inasmuch as the hon. gentleman who has charge of it has gone on a semi-public function; he is attending the funeral of the late Hon. Mr. Gibson, and he did not intend to return here this week. As this is a Bill which is initiated in this Chamber, it has to pass through the remaining stages, and go to the House of Commons. Now we have the explanation from the hon. gentleman (Hon. Mr. McHugh) that the measure is based on the error or neglect of somebody to pay the fees in proper time. These demands for private Bills on patents are based on a certain number of facts that are recited in the petition. They can be tested in committee, and in this House we have to be content with the declarations which the hon. gentleman in charge of the Bill may make. The verification of those facts can only take place in committee, and it seems to me that this Chamber will be fully made aware of the facts on a report from the committee, and may decide then if the reasons given in support of this demand are sufficient to justify the House in passing this Bill.

Hon. Sir MACKENZIE BOWELL—No explanation is ever made to this House when a Bill is reported.

Hon. Mr. DANDURAND—But I do not know of such a Bill having ever been stopped on the second reading. When the member in charge of a Bill such as this did give some kind of explanation as to why the Bill was promoted by him, the Bill was allowed to go to the committee in order that not only the facts would be verified, but the sufficiency of the reasons advanced could be weighed and decided upon. We will not be very much more advanced if we postponed the Bill for a week, since we are told by the member from Victoria, Ont. (Hon. Mr. McHugh) the reason as is given in the petition.

Hon. Sir LYMAN MELVIN JONES—The hon. gentleman who has just spoken has quite misunderstood Senator McHugh's remarks. He made no remarks in reference to this particular Bill at all.

Hon. Mr. DANDURAND—I understood him to state that he had read the petition.

Hon. Sir LYMAN MELVIN JONES—No; what he said was with reference to the question generally, not with reference to this Bill. This particular Bill, like most of the Bills which come before this House, is asking that a patent be renewed. From the Bill itself it is evident that the first payment—that is, the first third of the eighteen years, the first six years payment—was made, and that, then, through carelessness or otherwise—whatever the cause may be, I have not heard—about a year and three months passed after the time the second payment should have been made: now they ask for a renewal. Well, I admit that this particular renewal is being asked for earlier, after the patent has elapsed, than many that come before this House. This House and the Private Bills Committee of this House have been passing, and recommending the Senate to reinstate patents that have been void for years. There has been no bona fide reason given, within my knowledge, why a patent should be renewed in such case. A man takes out a patent which gives him certain rights; through carelessness of himself or others, he loses those rights. In many cases the application for the renewal is made after the development of some other individual's idea, or after finding that, because of conditions or circumstances, the patent if revived would be valuable, and would give control to the original holder, so that out of it he would likely make some money. Now what ground is that for the Parliament of Canada to decide that we shall vest that right in him? If he got a payment of $100 for some specific reason and had it in his pocket, and through some cir-

cumstance lost it six months after, would the House vote him another $100 to reimburse him? There would be far more reason for doing that than to vest in him a patent which at one time he controlled, but which, through reasons known to himself and not known generally to this House, he had lost. No matter whether the reasons are good or bad, I have always taken the ground that this House has no right to vest in an individual something that he has lost, unless it is shown that the loss was because of conditions absolutely beyond his control, and in spite of the best effort he could make to retain that right. If he has lost the right through some technical reason—the fault of the department through which the patents are cared for—that would be a reason, and we would have a right under such circumstances to consider renewing it; but no such case has come before this House since I have been in it. Further, in the ten years, more or less, that I have been here, at least seven-tenths of all the patents that have been renewed here, were patents that had been taken out in Canada by foreigners. There appeared to be no particular value in their Canadian patent and they allowed it to lapse. Later on, for some reason or other, they found that the patent would probably be valuable, and they came back to Canada and asked us to renew the patent, and time and time again we have done so. Can any hon. gentleman in this House give a single instance in which a Canadian has ever got a patent renewed in any other country in the world?

Hon. Mr. THOMPSON—No.

Hon. Sir LYMAN MELVIN JONES—No; such a thing has never been done; such a thing is an absolute impossibility in any country I know of outside of Canada. The United States, Great Britain, France, Germany and the principal countries of the world have what is called the 'Convention (Patent System).' I have frequently suggested to this House that Canada should also be within that convention of legislation, which makes the laws with reference to patents similar. The joining of such would be an advantage to the people of Canada, but for some reason the Government of Canada have not acted on the suggestion, and Canadians have been placed at a very considerable disadvantage for years. For instance, if you are going to take out a patent in Canada, and you desire that that patent should also be taken out in the United States, if you are a Canadian you must first go to the United States and make your application. If you make the first application in your own country, the laws of the other nations are such, within the arrangement referred to, that you would be unable to take the patent out there, because you had first applied in your own country, seeing Canada is not a member of the Federation. There are various conditions in connection with this, which are a disadvantage to the people of Canada. There is this fact, that it is an absolute impossibility to get before the Congress of the United States, or the Parliament of Great Britain, France, or Germany or any of the principal nations which are interested in patents in Canada, a request even to renew a patent which you had allowed to lapse. Yet I am within the limit in saying that, within the last ten years, eight-tenths of all the patents that have tied up in some cases very important devices which would be to the general interest of Canada if they were open to our people, have been in the hands of foreigners, who found they could make some money. These men came to Canada and got what they would be unable to even ask for in any other country. Hence this House of Parliament continues from time to time to get requests for the renewal of patents that have been dead for five, six, seven or even eight years. It is an outrage on the people of Canada to give these renewals, and it ought not to be done unless evidence is placed before this House showing that it is necessary to do justice to the man by renewing his patent. Under no other conditions should this House renew a patent for anybody, either Canadian or otherwise.

Hon. Mr. McHUGH—I know nothing about this particular Bill more than that I took it up and looked at it, when the Orders of the Day were called. This Bill is being treated very differently from that of any similar Bill that has come before this House. I do not mind, personally, whether this matter is put off for a few days, but I would like to ask those who find objection to giving this Bill second reading, what information the hon. gentleman who has charge of the Bill can give more than the House now has? These affidavits and declarations as to the cause of neglect of payment are submitted to the committee; I do not think there is any

rule that would prevent any hon. member of the House from asking to see those, before concurring in the report of the committee in case they recommend the passing of the Bill. As to what the hon. senator from Toronto (Hon. Sir Lyman Melvin Jones) has said about foreigners taking out patents in Canada, his remarks have no application to this Bill, because on looking over it I see that the applicant, in this case, is a citizen of the city of Toronto, and consequently a resident of the Dominion of Canada. I may add that there is always a saving clause put in to protect the rights of any one who has done anything under this patent during the time that it has elapsed, so that any one who has taken advantage of the lapse is protected.

Hon. Mr. RATZ—I do not wish to delay this discussion in any way, but I am a member of that committee, and while I agree with what the hon. member from Victoria, Ontario (Hon. Mr. McHugh), has said, and will vote that this Bill be granted, at the same time I agree with the hon. member from Toronto (Hon. Sir Lyman Melvin Jones) that our patent laws are very lenient. The charges made by the Canadian Government are so moderate that any person wanting to take out a patent could make the second payment before six years expired. They can pay the fee and make the patent good at any time if they so desire. At the same time I should like to see the law changed so that no person hereafter, who has allowed his patent to lapse, shall have it reinstated. That would be a good law and the proper thing to do, unless in a case where the error was committed by the department. If a patent right lapses through the fault of the Government officials, that is a different thing. I do not see why this Bill could not be laid over until to-morrow. If any hon. member wants to get information he should be given an opportunity to find it. I do not believe that he could, but at the same time he should be given that chance. We have lost more time here to-day discussing this matter than if the order had been discharged and allowed to stand until to-morrow. If there is any information to be got overnight why not postpone the second reading until to-morrow?

The amendment was agreed to.

Hon. Mr. McHUGH.

SECRET COMMISSIONS ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. DAVIS moved the second reading of Bill (F-3), An Act to amend the Secret Commissions Act, 1909.

Some hon. GENTLEMEN—Explain.

Hon. Mr. DAVIS—As I have objected myself to the second reading of a private Bill without some explanation, I should not ask for the second reading of this public measure without giving the reasons why I have brought it before the House. This is rather an important Bill as hon. gentlemen can see for themselves if they look at the details. I have said it is rather important: I should say it is a very important Bill to the people of this country. Its object is to put a stop to a system of graft and petty bribery that has grown up, not only in this country, but all over the world. I refer to the tipping evil. Where and how it originated I am not prepared to say, except that, going back to the early history of England, I find that the Roman magnates, after the conquest, when they went abroad sent a man ahead of them distributing pennies from a sack to the crowd. How it has grown to its present proportions I cannot say. However, the evil is here and and it is high time that something was done to put a stop to it. I venture to say that 90 per cent of the people of Canada are opposed to the prevailing system of petty graft. Any one travelling who does not meet the demands of these highwaymen, who hold them up, is subjected to very unpleasant consequences, and would rather pay than be subjected to the sneers of those who look for tips. The purpose of this Bill is to put a stop to all that. The system in itself has a demoralizing effect on the people who accept tips, because it is simply pauperizing them. If waiters in hotels and cafes, and porters on railway trains, are not paid adequately for their services, their employers should increase their wages. Any one who patronizes a hotel, or a restaurant, or a pullman car pays all that the service he gets is worth. Travelling on a pullman car costs one about $4 a day and why should any one be expected to pay extra to make up the wages of the company's employees. When we go into a grocery store to buy groceries

we never expect to tip the grocer's clerk. It is the same when we make purchases in a drug store or a shoe store. Then why should employees in cafes, or on trains be granted this special privilege of collecting tips? The thing is illogical, and nonsensical to all but those who receive the tips. The evil has grown to such proportions that it is time to put a stop to it. Other countries are grappling with the problem, notably some of the neighbouring states and Switzerland. I am assured on good authority that the amount of money paid in tips every year in the United States is about $80,000,000, or about eighty cents per head of the population. The proportion paid in this country in the same way amounts to as much as would provide the subsidy of one of our provinces. Any one who travels a great deal must spend not less than $500 a year in tips. This money comes out of the pockets of men who cannot afford to spend it in that way. They are robbing their families to the extent that they give tips. With the money exacted from them in that way they might take their families on pleasure trips or buy them luxuries. Before introducing this Bill, I thought it would be well to get some idea of public opinion on this question. I knew that such legislation was very popular wherever it had been adopted. I gave copies of my Bill to newspapers and others in order to find out how they viewed it, and the question has been taken up by the press from one end of the country to the other. I have read scores of articles on the subject all favourable to this legislation. From a large number of clippings I shall read a few. The Toronto Telegram sent out a reporter to interview residents of the city and find out what they thought of it, and here are some of the expressions of opinion:

'Away with all Tipping, an Inhuman, Insulting Evil'—Toronto Business Men give their Opinion on the Advisability of Criminal Prosecution to stop Time-honoured Practice—Travellers would do away with it.

'Why, if I had my way I'd send them all to jail or hang them. Probably I wouldn't do that either, but I'd do something,' laughingly remarked Superintendent Beck of the Union station this morning when the Telegram spoke to him with regard to the proposed legislation making it a criminal offence to give or receive a tip. 'Personally,' continued Mr. Beck, 'I think it nothing but a nuisance and certainly something should be done.'

The Telegram pointed out to Mr. Beck that a lot of tipping was going on right 'under his nose,' particularly where the 'red caps' were concerned. The superintendent did not know of any remedy unless an Act were passed making it unlawful.

Senator T. O. Davis, of Prince Albert, is the man who has started the trouble. He will introduce a motion in the Senate at Ottawa providing for an amendment to the Criminal Code making it illegal to give a tip or to receive one in Canada. He aims the Act at the hotel proprietors and railway companies and expects that when employees are deprived of their tips that fair wages will be given them. In this manner the senator intimates that many attendants, whom one meets on a journey, are underpaid and dependent on tips to gain a proper livelihood.

Thinks Bill splendid.

'I think that the Bill is a splendid one and that it deserves hearty support,' said a prominent commercial traveller when interviewed at one of the hotels. 'Not that I believe in being stingy,' he added. 'But just look at the number of people who use the trains and have only moderate means. Why they can get no service from the attendant because the moment a train comes in the employees rush for the baggage of the people who show signs of frequently giving tips. The person who is not so fortunate as to be able to afford tips is left to potter about as best he can. I certainly think that it should at least be enforced on railways, in hotels and also in restaurants. Employees should get enough money to sustain themselves in a proper manner without tips. Why should their wages be paid by another poor beggar who is struggling to keep up a good appearance himself?' concluded the traveler as he stamped away to buy a cigar.

Away with Tipping.

'Down with tipping, the most inhuman, most embarrassing and insulting evil that we have to-day,' was the scathing comment handed out by a local business man. 'Don't you mention my name,' he added. 'The Lord knows suffragettes are bad enough but what would happen to me if these waitresses ever discovered that I was opposed to tipping! Spare me their withering glances.'

Practically everybody interviewed by the Telegram was in favour of doing away with the system of tipping. All were careful that their names should be kept out of print and that no waitresses or hungry attendants were near.

One man was just issuing from the Union station when he bumped into the scribe. The latter took the opportunity of asking him what he thought about giving tips. And there, right on the Union station steps, that traveller delivered such a speech on the question of tips that the reporter felt assured he must have been tendered the key of the city. At any rate he seemed to have the key to the tipping problem.

He'd tip them.

'Why, just think of it. There's a little rascal that I meet at my home station and within the past month I've tipped him a dozen times. The other morning I had no change and when I came along this morning he grasped the baggage of another man and allowed me to carry my own. In future I'm going to tip them but it won't be with money,' said the traveller.

City barbers who work on commission and many employees who come in contact with the general public feel alarmed over the introduction of the Bill in the Senate and they fear that their main source of revenue will slip away.

The Telegram found but one place where the system was approved of:

The reason of tipping.

'Why tipping is all right; we have always allowed our girls to take tips,' replied the manager of a well-known Yonge street café to the reporter's query. 'Oh! we like it,' added two of the waitresses who were standing near the cashier's desk. One girl told the Telegram that she got about $5 a week in tips besides her salary. 'Why, I couldn't live on salary alone,' said she. 'I only get eight dollars a week.'

The following is an editorial article in the Markdale Standard of February 4:

Tipping the torment of travel.

Tipping is one of the nuisances of travel. One seems to be almost perpetually plunging down into his trousers' pocket to soothe the itching palm of somebody on train or in hotels or city barber shops. In the United States they are fighting the evil thing. Some time ago a senator slapped a waiter bang in the face. He was arrested, of course, and humiliated by being sent to the cells. But the judge who tried the case, while imposing a fine, complimented the senator as a noble pioneer in the art of self-defence. The porters in the Pullmans will awaken you at night to search for your shoes, to develop a pretext for the tip. They begin to lay seige just before the terminal, when they produce their tormenting little whisks and brush your dust off on your neighbour, you probably all smiles with your heart in hot rebellion. It does not seem so very bad to see a coloured man take a tip, but the other day we got a shock like the one that almost killed father, when seeing a white Pullman conductor on the tipping line. After the shock subsided we thought he wasn't all white. At Hamilton a porter grabbed two grips and hastened to the railway platform. One owner came along and handed over a quarter. The second drew up a moment latter, and it was another. This was reaping a harvest. When one pays from fifty cents to a dollar a meal, and that for several days, as many travellers do, and has to pay a surtax of twenty-five cents each sitting in order to get proper attention, the disturbance ensuing is not very conducive to delightful digestion. On the other hand, there are many students who take this method of raising funds. Knowing this, your heart relaxes. But to be held up by bandit smiles, knowing your money is likely later to contribute to the gaiety of a 'craps' session, you feel it is an imposition from which companies ought to preserve their patrons.

I have also received letters from prominent gentlemen in various parts of Canada congratulating me on having brought up this question. Here are some of them:

Kingston, March 3, 1914.

The Hon. T. O. Davis,
Ottawa.

Dear sir,—While I do not know you personally, I cannot help just sending you a line offering my heartiest congratulations and also of all my friends for the very clever and able Bill you are introducing, making it a criminal offence for giving or accepting tips. This is one of the best Bills ever going on record and is also, I believe, one of the most popular, and I only pray from the bottom of my heart that you will be successful and push it through to a successful issue. I am one who knows the very great annoyance of tips, as I have to do so much travelling, and every one travelling will appreciate you in this Act. I think with the travelling public you are about the most popular member in the Senate.

Make it strong so that people will be afraid to evade it in any way, and if you do it will only be a short time until the whole rotten system is entirely wiped out. Wishing you every success and apologizing for the few remarks.

I remain yours very truly,
L. E. Wilson,
Com. traveller.

The Specialty Supply Co.,
Distributors of Specialty Goods of Standard Merit.
J. Wilson, Mgr.
324 McIntyre Block.
Winnipeg, Can., March 3, 1914.

Hon. T. O. Davis,
Ottawa, Ont.

Dear Senator,—I was delighted to read in last night's paper your opinion on that universal nuisance of tipping and sincerely hope you will be successful in passing such as to do away with it. I would gladly gather petitions to help you if necessary to accomplish in passing that law.

Why! it has actually become unbearable, a lot of us would not like to live up to that so-called ethic, but one is looked upon by that tipping fraternity' as a 'cheap skate' if he does not come through with his two 'bits' or a dime at least according to the occasion, and believe me many of us can't afford it, but it's the 'style' and habit and of course we poor devils have to live up to it.

Wishing you success in your efforts,
I beg to remain,
Yours for a 'tipless people,'
J. Wilson.

The Board of Social Service and Evangelism
The Presbyterian Church in Canada.
Toronto, February 23, 1914.

Senator T. O. Davis,
Parliament Buildings,
Ottawa.

Dear Sir,—As one who uses the railways and hotels a great deal, may I say that you will have a very large number of well-wishers to the Bill that you intend to introduce this week.

Not only is the tipping custom an abomination to the traveller, but the recipient must always be unmanned. The open palm is altogether too common, and in many cases I have known those who could ill afford to be tipping constantly who have suffered a good deal in regard to the kind of service they should receive.

Yours with all good wishes,
F. A. Robinson.

S. C. Kanady Lumber Company,
Wholesale Lumber.
348 Confederation Life Building.
A. R. Riches.
Toronto, Canada, Feb. 24, 1914.

Senator T. O. Davis,
Ottawa, Ont.

Dear sir,—I have not the honour of your ac-

quaintance, but I just want to congratulate you on having sufficient nerve to introduce a Bill as per enclosed clipping. This tipping business appears to me as the starting point of all boodling and crooked business. It is almost impossible for the small person, who cannot afford to hand out money freely for nothing, to get along, and I think, Mr. Senator, if you can put a measure through that will make it a criminal offence for any one to receive or offer any consideration to the servant or servants of other people, you certainly will deserve the thanks of the people of Canada.

Yours very truly,
A. R. Riches.

Saskatoon-Saskatchewan Land Corporation, Limited.
Toronto.
26 East Queen sreet,
Toronto, March 5, 1914.

Senator T. O. Davis,
Ottawa, Ont.

My dear Senator:

I think you deserve to be congratulated on bringing up the Bill we read so much of in the papers. You know that I do a great deal of travelling and the tipping nuisance is becoming worse all the time and there is no disguising the fact that we practically one and all dislike being held up for services not rendered. It is bad enough when we actually receive some services for the gratuity, but most of us know that nine times out of ten there is no service at all rendered and the tip is really a hold up as the non-tipper is almost invariably made to feel very keenly his position. I was present with a party at the Alexandra Hotel in Winnipeg when the bill came to something like $6.50, the change was 50 cents which was left for the waiter. The waiter hurried after the guest (and by the way it was not myself, though I was one of the party) and said the change had been forgotten. Of course this was said in such a manner that it made all the party feel rather small. It so happened that this guest was indirectly connected with the hotel and he reported the waiter with the result that he made ample apologies next day, but this is one of the exceptional cases and it is very seldom that there is any redress in the matter.

I believe you will have the heartfelt sympathy of the whole community if you succeed in putting through this Bill, and as I understand such Acts have been passed in other places, I suppose such is possible here. At any rate I wish you every success.

Yours truly,
A. O. White.

It appears to be the general opinion all over Canada that this tipping nuisance should be stopped. There was a time when a tip of five or ten cents was considered reasonable, but now it costs one about seventy-five cents to even get inside a hotel. A gentleman of my acquaintance travelled to Winnipeg in a chair car. When he got near his destination the porter made a rush at him with his whisk. On the journey the porter had not paid the slightest attention to him or done anything for his comfort, but as soon as the journey was coming to an end he made an effort to extract a twenty-five cent tip from him. At the station he handed his grip to one of the red caps and had to pay him twenty-five cents to carry it into the station, and from there he had to carry it himself to the hotel. When he got there he had to pay the bellboy twenty-five cents to take it to his room. Then he asked the boy for a pitcher of water. The bellboy disappeared—they have the system organized—and took very good care that another boy brought up the water. That necessitated the payment of another tip. After drinking the water he went downstairs to get a newspaper and when he returned to his room and wanted another drink he found that the chambermaid had emptied the pitcher. He had to send for another and pay another twenty-five cent tip. It is simply organized graft. You find it everywhere. You go to a place on Bank street to get your boots cleaned, and you find there are two registers, one to record the regular charges for the service and the other to record the tips. The boy who cleans your boots does not get your tip. The thing is farmed out. There are people paying for the right to fleece the public in some of the larger hotels. They carry on their operations in the cloak rooms and other places. Instead of paying their employees proper wages these hotels look to the public to furnish enough in tips to make up their wages. Somebody may attempt to defend the system by arguing that this Bill tends to interfere with the freedom of the people. and that any man who wants to tip should be at liberty to do so, as nobody is compelled to pay a tip. But no man should be allowed to do what is bad for his fellow men; he should give up his right for the good of the many. The evil is this: It may be all right for a millionaire to hand out tips, but how does it affect the poor man? He cannot get any service whatever although he is paying for it, unless he hands out tips; and if he does not tip it is because he has not the money and cannot afford it. I have seen a porter on a railway at Toronto station making a rush to take a little grip from a man, while two old women with big grips were allowed to carry them out themselves. He never paid the slightest attention to them at all. I took these fellows who are looking for tips. Those who have done a lot of travelling can confirm what I say. No one need tell me that business cannot be carried on with-

out tipping. In London there is a tipless hotel and it is well patronized.

Hon. Mr. POIRIER—Does the hon. gentleman say there is no tipping in England?

Hon. Mr. DAVIS—There is, but as I have said there is one hotel where it is not allowed, and that hotel is doing a very prosperous business.

Hon. Mr. POIRIER—My experience has been to the contrary.

Hon. Mr. DAVIS—Here is a newspaper editorial from which I quote the following:

Oh, for a tipless world.

Senator Tom Davis, of Prince Albert, will have many with him in principle, in his proposal for legislation in Canada to abolish tipping. It is when he comes to putting his proposal into concrete form that the difficulties will arise. His idea is that an amendment to the Criminal Code should be adopted prescribing punishment for tips, and making both the tipper and the tipped equally guilty. How such an amendment is to be enforced, and who are to enforce it, he does not even indicate.

In the United States those energetic and cheery travellers who used to be known as the 'knights of the grip' recently met in national conclave and condemned the gratuity with all the force of formal resolutions and a blood-sealed oath, and as a result there is on record the case of one commercial traveller who made a tour of 6,000 miles without giving a tip and without the slightest inconvenience thereby. His case must be exceptional, for such is the condition of affairs on this continent, whether it be in the United States or Canada, that it requires moral courage of truly heroic proportions to omit the sacred rite of greasing the waiter's palm, and things get worse instead of better.

Not so in London, where the tipless hotel flourishes and where the movement has gained such an impetus that there are now some 500 eating places that announce 'No gratuities.' The proprietor of the largest of London's tipless hotels plans to erect another of a thousand rooms in the heart of the visitors' quarter—and for an obvious reason. Holidays do not diminish the takings of this tipless hotel, and hard times do not diminish its dividends. It is the only hotel in London that is full the year round. Accommodation has often to be booked a month in advance. The tipless hotel is a convenience to the travelling public, and consequently an excellent business venture. When hotel managers on this side realize that they may increase their custom by offering a tipless service for which there is a steady and dependable demand, then the travelling public may get relief from promiscuous alms-giving. Meanwhile we are afraid there is little to hope from the well-meaning efforts of Senator Tom Davis and other legislators.

The largest hotel in the city of St. Louis is a tipless hotel, which was just started recently. They have put signs up 'No tips allowed.' People say 'You may put this on the statute book, but it will not have any effect.' True, there are some people who will evade the law, but at the same time such notice will ensure courteous treatment to every person travelling on the railway, because employees will be afraid of being punished. It would not be a bad thing to provide in the Railway Act that the railway companies should put notices in the cars 'No tipping allowed.' The matter should be taken up by the provinces, and when a hotel license is granted, there should be a provision embodied in the license that no tipping should be allowed in the hotel. It should also be carried down to the municipalities, and in granting a license for a café they introduce something in their by-laws to provide against this very thing. We have to make a start, and this is as good a time as any other. Tipping has grown to enormous proportions, and it is hard to say where it will stop. The ordinary man will soon not be able to travel, unless he has a pocketful of money. I am satisfied that ninety per cent of the people of this country are in favour of this measure, from the Atlantic to the Pacific; it is time such a provision should be placed on the statute book.

Hon. Mr. GORDON—While I have much sympathy with the object my hon. friend has in view, because I believe it will tend to reduce the high cost of living, at the same time he is endeavouring to build a fence around the lambs, which will turn out to be worse than a barbed wire fence, and which will have the effect of jailing or penalizing these lambs to the extent of $200 for very little. Take for instance the case of the poor man, for whom my hon. friend expressed sympathy. The poor farmer's hired man driving a wagon to the city gives my hon. friend a lift; my hon. friend may not know that he is a hired man; when he reaches the end of his journey my hon. friend, who is a generous man, would likely give him a quarter or fifty cents.

Hon. Mr. CLORAN—That is far-fetched, and does not apply.

Hon. Mr. GORDON—Under this Bill both my hon. friend and the man who accepted the bribe are liable to this punishment.

Some hon. GENTLEMEN—No, no.

Hon. Mr. WATSON—Guess again.

Hon. Mr. DAVIS—We will thresh out the framework of the Bill in committee. We

are not trying to get at that class of men at all.

Hon. Mr. GORDON—While I have a certain amount of sympathy with the object my hon. friend has in view, the Bill he has prepared is so wide that it is going to affect people who are in employment and in places which he does not need to touch; until the Bill can be got down to the places which he himself only means to have affected, it surely should not be passed.

Hon. Mr. ROSS (Middleton)—I am entirely in sympathy with the object the hon. gentleman has in view with this Bill. Every man should pay once, but there is no law of God or man that he should pay twice. When you are served in a restaurant or hotel, you first pay for what you get, and then pay the man who gives it to you The real cause of the whole system of tipping is brought about by the selfishness of the rich man who goes into the hotel and thinks it is nothing for him to pay a dollar bill and have servants dance attendance upon him. People who cannot afford to pay the dollar bill have to wait until their turn comes. If you analyse the whole thing, that is what it comes to. It is perfectly sound legislation to curb that practice wherever you can, but I have some doubt as to whether this Bill embodies a complete way of dealing with the matter. I am prepared to make the suggestion later on that an alternative be given to the people who give a public service, hotel, restaurant, barber shop, and so on, that if tips are allowed they publish the scale of tips they wlil allow to be collected.

Hon. Mr. CLORAN—They will not do that.

Hon. Mr. ROSS (Middleton)—I venture to say you will not find many of those scales of tips put up. Take the Ocean Steamship Company; If a man dare to leave a steamer without paying $5 for this and for the other thing they would chase him up the wharf and hold on till they got it. These men receive very small salaries from companies like the White Star Line, which has never paid less than 100 per cent dividend, and in the meantime the companies pay their employees starvation salaries, leaving them to get their wages out of the public. The same conditions are found in the hotels. I was in a hotel in the United States, and there was a sort of indignation meeting there about the treatment of the hotel as to the maids, who were supposed to be paid $5 a week, and to get all they could of the guests of the hotel; so that after paying well for your hotel accommodation you would find you had to settle up with the servants. If it is possible to check that evil, I would be glad to accept suggestions as to the means.

Hon. Mr. POIRIER—I wish to compliment my hon. friend from the far West upon this Bill. It is a truly democratic measure. In a country where manhood suffrage exists, all men should be on a level, and one class should not be subservient to another. Begging publicly, surreptitiously or any other way, is degrading to the class that resorts to it. It is moral degradation. In this country all men should stand on an equal footing; nobody should be permitted to go begging alms or showing an inferiority which might have existed, which did exist when there were castes in this country, when there were servants, slaves and masters. Such a thing does not obtain in true democracy, especially in a country like ours where all men are equal before the law. This Bill does not propose any revolution but merely a modification in a serious matter of education, which is certainly hard to bring about, as all reforms of abuses are. But it is worth making an attempt. I would not endorse the Bill as it is at present framed, but when it comes to committee we will be able to devise some means by which initiative may be taken. The result of this should be to diminish, and possibly to do away with an evil practice—I call it a social plague—and benefit will follow, if it is only prohibited in public places, say on government railways, where it has become a nuisance of enormous gravity. At hotels and on railways and steamships we have to pay about ten per cent above the legitimate cost for anything we get, the effect of which is to degrade manhood and womanhood. The cause of the suffragette is progressing, and womanhood will be affected in the same way. I greatly sympathize with my hon. friend on account of the predicament he was in and which he narrated to us, where, for a drink of water he had to undergo the ordeal he described. This recalls an incident which happened in the other House, modifying the saying 'wine, women and graft.' In this case it is graft, accompanied by the degradation of manhood and womanhood. Our legislation should tend towards the elevation of all classes, but more es-

pecially the class which happens to be at the service of others—not because, in many instances, it is morally or intellectually inferior—but because that class is poorer. The hotelkeepers, the government railway managers, and people who conduct public institutions, should help the Parliament of Canada in putting an end to this most deplorable habit, the effect of which is to lower the standard of a very large and important portion of the community.

The motion was agreed to, and the Bill was read the second time.

SECOND READINGS.

Bill (G-3), An Act to incorporate The Canadian General Council of Boys Scouts Association.—Hon. Mr. Yeo.

Bill (97), An Act to incorporate The Labrador, Quebec and Southern Railway Company.—Hon. Mr. Belcourt.

CIVIL SERVICE ACT AMENDMENT BILL.

SECOND READING POSTPONED.

The Order of the Day being called:

Second reading Bill (B-3) 'An Act to amend the Civil Service Amendment Act, 1908, as respects the Senate of Canada.'

Hon. Mr. THOMPSON—It was brought to my attention that a question might be raised when the motion for the second reading of the Bill was made, as to whether this House had the power to deal with the Civil Service Act, on the ground that it involved a question of finance. That being brought to my attention, I decided in the meantime, to postpone the motion for the second reading. I have looked into the matter, and have consulted legal authorities and been advised that an objection to the Bill on that ground ought not to be entertained. I would like hon. members of the House to look into the question, so that when the point of order is raised, they will be in a position to discuss it. I move that the Order of the Day be discharged, and that it be placed on the Order Paper for Tuesday next.

The motion was agreed to, and the Order of the Day was postponed accordingly.

BILLS INTRODUCED.

Bill (107), An Act respecting the Fredericton and Grand Lake Coal and Railway Company and the Canadian Pacific Railway Company.—Hon. Mr. Daniel.

Hon. Mr. POIRIER.

Bill (146), An Act to amend the Civil Service Act.—Hon. Mr. Lougheed.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

Thursday, May 7, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE RAILWAY BILL.

Hon. Mr. LAVERGNE moved that when the Senate adjourns on Friday, 8th inst., it do stand adjourned until Tuesday next at 8 o'clock p.m.

Hon. Mr. YOUNG—I have no desire to oppose the motion, but I wish to consult the House on another matter which the adjournment to the evening need not affect if the members will co-operate with me. In consultation with the Chairman of the Joint Committee that is considering Bill (B-2) with reference to the Railway Act, we decided to call a meeting of the Joint Committee on Tuesday at 12 o'clock. He wished to call it earlier, but consented to make it 12 o'clock so that our friends on that committee, who will be coming in on the forenoon train, would have an opportunity of being present at the first meeting of the Joint Committee. I would, therefore, ask that the members of the committee who may go home on Friday evening would make an effort to be here for that first meeting. One of the matters that we will have to consider is the quorum to be fixed by the Senate Committee for the Senate side; the quorum for the Commons side has been already fixed by that part of the committee. We will also have to fix the quorum of the Joint Committee. There may, also, be other business, such as fixing days of meeting, possibly a mode of procedure, and possibly place of meeting, and so on. I am asking that whether this motion be agreed to or not, the members of this special committee will kindly endeavour to be present for that first meeting, even though it may be a little inconvenient.

Hon. Mr. CLORAN—I would like to ask the hon. gentleman how many members of the House of Commons are on the committee?

Hon. Mr. YOUNG—Speaking from memory I think it is some 28.

Hon. Mr. CLORAN—And how many from the Senate?

Hon. Mr. YOUNG—Fourteen.

Hon. Mr. CLORAN—How are you going to make a quorum?

Hon. Mr. YOUNG—Each separate committee makes its own quorum. The Commons members have put their quorum down very small, down to 9 I think; that is my information. We on the Senate side, would fix our quorum in proportion to our number, and then the quorum of the Joint Committee would likely have to be fixed as well.

Hon. Mr. BEIQUE—I do not understand the hon. member when he speaks of a Joint Committee. There is no Joint Committee.

Hon. Mr. YOUNG—Well, the Concurrent Committee. It may be that technically I am wrong.

Hon. Mr. BEIQUE—Then there would be no occasion to name a quorum of a Joint Committee when there is no Joint Committee; there would be a quorum of each committee.

Hon. Mr. YOUNG—That is a matter that the Concurrent Committee would have to deal with.

Hon. Mr. MITCHELL—If that is all the business to be brought before that committee at its meeting on Tuesday next, we could carry it over, because all this work will have to be done over again next session.

The motion was agreed to.

SECOND READINGS.

Bill (H-2), An Act for the relief of Georgina Beatrice Boyd.—Hon. Mr. Derbyshire.

Bill (C-3), An Act respecting a certain Patent of Frederick Sinclair Corrigan.—Hon. Mr. Kerr.

INSPECTION ACT AMENDMENT BILL (BINDER TWINE).

REPORTED FROM COMMITTEE.

The House resolved itself into Committee of the Whole on Bill (109), An Act to amend The Inspection and Sale Act.

(In the Committee.)

On clause 1.

1. The Inspection and Sale Act, chapter 85 of the Revised Statutes of Canada, 1906, is amended by repealing section 347 and substituting the following therefor:

347. Upon or attached to every ball of binder twine or offered for sale in Canada there shall be a label with the name of the dealer and the number of feet of twine per pound in the ball marked or stamped thereon.

2. Binder twine manufactured for export only and not to be used in Canada need not be so labelled. The onus of proof that any unlabelled binder twine is manufactured for export only shall rest upon the manufacturer, dealer, carrier or other person in whose possession the binder twine is found.

3. The Minister of Trade and Commerce for the time being may make such regulations as he deems necessary to prevent the sale or use in Canada of unlabelled binder twine manufactured for export only and any person violating any such regulation shall be liable upon summary conviction to a penalty not exceeding fifty dollars, and for each subsequent offence to a penalty not exceeding one hundred dollars.

Hon. Mr. LOUGHEED—This clause repeals section 347 of the original Act, and is substituted for it. It is now proposed to remove the restrictions as to binder twine manufactured for export.

Hon. Mr. TALBOT—The difference between the two, I suppose, is that the tag, which at the present time has to be put on showing the number of feet to the pound, may now be left off.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. TALBOT—I should like to know the object of that provision.

Hon. Mr. LOUGHEED—The object is this: we have recognized this policy with reference to other manufacturers, that when an article is manufactured for consumption in Canada, it is very desirable that the interests of the consumer should be protected in every possible way but when manufactured for export, it is being manufactured for a market the demands of which we must leave to the foreign consumer. Those who may ask for the manufacture in our country of a product for export, desire to deal with that article without being subject to any of the restrictions which we may impose on home consumption. Moreover it seems to me it is a matter about which we should not concern ourselves, for the simple reason that we have no information in regard to what a foreign market may require as to the product which we manufacture. Furthermore, every encouragement should be given to the Canadian manufacturer in manufacturing for export; there should not be imposed upon the manufacturers restrictions such as we have imposed heretofore on export binder twine.

Hon. Mr. DERBYSHIRE—When this restriction is not in force in regard to other countries competing for the same market, our manufacturers should be placed on the same footing, in the sale of their goods, as those countries. They should not be compelled to mark the pounds or yards.

Hon. Mr. TALBOT—I had an idea this Parliament was very particular about our exported goods. We have had a lot of trouble and we passed laws in this Parliament compelling growers of apples to enter their fruit properly and have it graded and stamped, and we have had similar provisions with reference to the export of butter and cheese.

Hon. Mr. CLORAN—And hay.

Hon. Mr. TALBOT—The farmers of western Canada have had to suffer immense losses through Parliament placing the standard of our wheat at least three notches above that of our competitors in the United States. Our wheat grade No. 1 is away higher than that of the United States; in fact our grade No. 3 is equivalent to grade No. 1 of United States. We have been very careful about this sort of thing. Now, I have an idea that the object of the manufacturers is to compete with American manufacturers who have been cheating. Somebody has been cheating. I asked a question of the leader of the Government, and he replied yesterday that only one manufacturer of binder twine had been fined for violating the law with respect to the length of twine in a pound. I remember very well, in 1905 or 1906, reading reports to the effect that large sums of money had been collected as fines from some persons; perhaps it was from the dealers, perhaps this twine was imported by those dealers into Canada from the United States. There is no doubt that those American manufacturers were selling us 400 feet of twine where they said there were 500 feet, and the farmers of Canada suffered large losses for years and years, and they are now sending that sort of stuff over to the Russian farmers, and our Canadian manufacturers want to meet them on their own ground. I believe that is the true reason of the offering of this Bill, and I believe our Canadian manufacturers are making a mistake if they do it. I believe if they send a genuine article, have it properly tagged, and state what it is, telling the truth about it, they will in the long run benefit by it instead of losing.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. TALBOT—No set of farmers in the world are shrewder than the farmers of Russia, at least if we have a fair sample of them in our western country. I know some of those farmers in the province of Alberta who go to the trouble of unwinding a ball of this twine and measuring it foot by foot to see if they get the correct measure. If these men are a fair sample of the farmers of Russia, Canadian manufacturers will lose in the long run by having this law passed.

Hon. Mr. CLORAN—The declaration made by the leader of the Government on this question is, to my mind, an extraordinary one. He is prepared, on behalf of his Government, on behalf of Parliament, to pass a law whereby the Canadian consumer shall be protected— that is what he said—but the foreign consumer was not to have any particular attention paid to him. That is practically what he said. Well, if that statement goes out to the world at large, they will begin to inquire what kind of legislation and legislators we have in Canada. A minister of the Dominion of Canada tells Parliament that provisions are made for the protection of the Canadian consumer of a certain article, but, when the same article is placed on the market for export for foreign consumption, the Government has no particular attention to pay to those foreign consumers—let them look after themselves. I say that this proposition must not go to the country unchallenged; I say that declaration must be kept where it belongs. As the hon. senator from Alberta (Hon. Mr. Talbot) has just said, the Parliament of Canada has taken every precaution to protect the foreign consumer against fraud on the part of the apple grower, the cheesemaker and hay grower, and in the case of all other large products of the farm for export; everything has to be branded and numbered for foreign export. At home the farmer can give us poor hay, a poor barrel of apples and poor cheese; but for foreign export the laws of this country demand that the farmer shall put the best on the market. The question I have to ask is this: Why not place upon the manufacturer the same obligations that are placed upon the shoulders of the farmer? I am not opposed to the obligation placed upon the shoulder of the farmer to put the

best on the foreign market; on the contrary, it keeps up the reputation and name of Canada. Why not do the same in regard to the manufacturer, who is protected? Parliament acts against the farmer who is unprotected, and after protecting the manufacturer it allows him to do as he pleases in the foreign market. That condition of things must not be introduced into legislation; it is not fair to the country, or to its name as a commercial trader with the world. I hold that the views expressed by the western members in regard to this matter are such as appeal to the common honesty of the Canadian people. We have done enough for the manufacturers without encouraging a cheating trade abroad. We have given them drawbacks and rebates. They will sell to the Canadian farmer a plough or a machine for $10 or $15 or $20 under protection, yet, they can sell the same machine in Japan or China or Australia at ten, fifteen, or twenty-five per cent less. Is there any sense in legislating in that fashion for the advancement of this country and the protection of its best interests? It has always struck me, not as a matter of surprise, but as a matter of incomprehensibility, that the farmers will vote for people who are ready now and always and in the future to place shackles on them, that are ready to place a load on their shoulders in addition to the load they have to bear in developing the interests of this country. However, they do it, they have done it, and they will do it again; but it is up to the representatives of the people to teach them to do otherwise. I hope this Parliament will see that when the Government brings down legislation, it will not be such as will hurt the trade of Canada or diminish its prestige in the foreign market.

Hon. Mr. DOUGLAS—I have had a great deal to do one way and another with discussions on the binder twine question. It was a burning question in the Northwest for many years. Binder twine is a cash article, and I am sorry to say that its use is but brief and then it goes into the flames; but it costs the farmers, of the great West especially, a large amount of money. Much effort has been put forth to find a cheaper material than sisal for the manufacture of binder twine. On investigation it was found that not only were the farmers charged excessive prices for their twine, but they were being robbed, the rolls of twine being defective in the length to the pound. The late Government, I am glad to be able to say, took the matter in hand and appointed an inspector whose business it was to travel through the Northwest, visit the dealers and investigate their stock, making a calculation as to whether it was up to market value or not, and he was empowered by the late Government to seize everything that was short in weight or length. The result has been that in the past few years we have been free from anything like a discussion on the binder twine question. I am glad to know that our faithful friend from the Northwest has not forgotten the fight through which the people passed in former years, and that he is still looking after the interests of those who are not able to protect themselves in this respect. It cannot be supposed that foreigners who are engaged in farming in our Northwest are in a position, either through their defective education or their ignorance of the country and of the sharp practices that prevail in this matter, will be protected by taking this question out of the hands of the inspector. I should like to know from the leader of the Government what has become of the inspector. Where has he gone? We have had no reports from him for two years. He may be dead and gone, but the work is still there, and inspection is still needed. It is a wrong inflicted on the people of the West if we have not somebody in office to carry out the views that have been entertained by the people generally during the last twelve or fourteen years. I should be very much pleased to think that before any change is made in this matter, that it is not the interest of the manufacturer that is to be considered, but the interests of the people throughout the country. We want to see that no injustice is done. We can get plenty of binder twine from the United States, but when it is investigated it is found to be short in weight and in the length per pound. Under the late Administration the inspector was empowered to seize everything under the standard weight and length, and confiscate it and make his report at the end of the year where his work was sustained. That was a great boon to the people all over the West and if anything is done to tamper with it, and drift back again into the same old path and sharp practices that prevailed years ago, you may depend upon it that it will be heard of when the next election comes round. There may be more said about it than is anticipated, because these people know something about this question; we cannot give them information upon it. They appreciate what was done in the past and they say let well enough

alone. That is what we have to say this afternoon to the members of this House—let the people enjoy the privilege of having justice done between man and man without our introducing changes in connection with the manufacture and sale of this article. Binder twine is a very expensive part of the farming business. The farmer must pay cash for his binder twine before he can cut a sheaf in the field, and the people feel keenly on this question. If we wish to see the country prosper and the foreigners that are within our borders treated justly, we must not deprive them of the protection which they have been enjoying. It is not the middleman or the manufacturer either in the United States or Canada, that should cause us any concern; what we should do is to see that the whole business is conducted on principle of equity and justice and that we do not allow the poor and unsuspecting to be trampled under the feet of men who have No. 1 always in their eye.

Hon. Mr. THOMPSON—This binder twine question is a matter of very considerable interest to the people who are in touch with farming interests, and I am quite in sympathy with the farmers in respect to their needs and the right they have, under the law, to get what they pay for. I cannot say that the inspection to which the hon. gentleman referred is absolutely necessary to the interest of the farmer, because I should judge, under this Act, that in the case of every ball of binder twine a man bought, and unwound and found not in accordance with the Act, the purchaser would become an inspector himself as against the manufacturer of that particular binder twine. The penalty provided in this Bill would be enforced against the manufacturers who gave short measure. We must have a country full of inspectors; all people who use the twine have a right to invoke the law if a manufacturer fails to carry out what the law requires.

Hon. Mr. DOUGLAS—It is not the farmers who become inspectors. It is the Government inspector who does the work, and he is the only one, as far as I know, to undertake it.

Hon. Mr. THOMPSON—If I had a ball of binder twine with the label on it of Senator Douglas as the manufacturer, and it had a certain length or weight marked on the ball, and I unwound it and found that the label was not right, that the ball of twine did not contain what the label said it did, I should have a cause of action against him.

Hon. Mr. CLORAN—How many men are going to do that? Not one in a thousand.

Hon. Mr. THOMPSON—I do not know how many, but the protection is in the law in regard to the farmers of Canada. With reference to the change this Bill suggests, I do not just know how the binder twine may be sold on the market in foreign countries. It would be entirely proper if I were making binder twine, and somebody agreed to buy it from me in a reel, say a thousand balls of binder twine on a big reel, I do not know that the manufacturer of binder twine should be required to put it into balls of binder twine such as he sells on the market. If I were in a foreign market, I would probably go to the manufacturer and say: 'Give me your reel with two tons of twine on it. I will take it to my country and put it in such form as will command the attention of the buyer and I will label it,' and the responsibility would be with him. I do not understand that there will be anything very serious in this measure, although the section which has been repealed was not very onerous. It did not require the man's name on it, but it did require that a label giving the contents should be placed on it. In other countries they may not put the twine up in the same form. The middleman wants to buy five tons of binder twine and have it shipped on a large reel which he could unreel and put in such form as the market might demand, or in such form as it could be sold to the best advantage.

Hon. Mr. TALBOT—Is this twine exported to any country except those countries in which Canadian binders are used?

Hon. Mr. THOMPSON—I have no idea about that. I would not think that was a strong argument.

Hon. Mr. TALBOT—There is only one way in which Canadian binder twine can be used in a Canadian binder, and that comes in a certain sized ball. The Canadian twine is used entirely in the countries to which Canadian binders are exported.

Hon. Mr. THOMPSON—Could they not use half a ball?

Hon. Mr. TALBOT—They would have to unwind the other half first.

Hon. Mr. THOMPSON—There must be so many pounds in it. Supposing I took it over in a large reel, and there were Canadian binders in that country; instead of having the number of pounds usually put in a ball by the manufacturer in Canada, supposing I made one of two pounds less, would it work in the Canadian binder?

Some hon. GENTLEMEN—Certainly.

Hon. Mr. THOMPSON—If I could do that, and my trade would demand that I should put it in that form to the better satisfaction of myself and the man who used it, I do not see why I should not be allowed to do it.

Hon. Mr. TAYLOR—I am somewhat surprised at the remarks of the hon. gentleman from Victoria division (Hon. Mr. Cloran). I thought he posed as the friend of the labour man. This is a Bill purely in the interest of the labour man. The provision that has been referred to in reference to the produce of the farmers is purely in the interest of the farmers themselves, because these goods are inspected and put on a foreign market, and branded as Canadian products.

Hon. Mr. TALBOT—Why not have this the same?

Hon. Mr. TAYLOR—This is a different question. The manufacturer of binder twine should not be placed on any different footing from the manufacturers of other goods.

Hon. Mr. CLORAN—Why not?

Hon. Mr. TAYLOR—They should not be placed on any different footing from the manufacturers of other countries.

Hon. Mr. CLORAN—You cannot see the interior of a ball of twine but you can see a shovel.

Hon. Mr. TAYLOR—I am a manufacturer of goods for the Canadian market and for export, in the matter of carriage wheels. In Canada we are not obliged by law, but we are by practice, to brand all our wheels A, B, C, D and E. I receive orders from a foreign country for wheels of a special grade. They do not want them branded. They want to put on a brand of their own. I make them without those letters and ship them to the foreign country. If Russia or some foreign country wanted binder twine they might simply say 'We want binder twine, but we will label it ourselves.' They might ask to have it put on a reel, and they will put it up themselves and put their own label oit it. In this way manufacturers, if they were able to secure orders for export may be able to keep their factories running the year around, otherwise they may have to close down for 2 or 3 months every year and let their men go idle. So it is with the manufacturers of binder twine; if they cannot manufacture for export it would be a great injury to their employees. I say this Bill is purely in the interest of the working man, so long as we manufacture goods that will suit the trade of foreign countries, I think the Bill should meet with the hearty approval of every member of the House.

Hon. Mr. GORDON—It appears to me that any one who would oppose this clause has never had any experience whatever in the export trade. Why should not the foreigner be permitted to buy binder twine or anything else by the yard or foot, or ton, or in any other way in which he may buy it? The whole proposition is to get him to buy it. One hon. gentleman intimated that this was something whereby the Canadian manufacturer could cheat the importer—

Hon. Mr. TALBOT—The Canadian manufacturer can do the same as his competitors can—that must be the object of the Bill.

Hon. Mr. GORDON—I think that statement to which I have referred, is pretty far-fetched.

Hon. Mr. TALBOT—I can see no other object.

Hon. Mr. GORDON—Take the case of lumber, which is being sent to a foreign market, if you happen to place marks upon this lumber other than the marks which the importer demands, it will get you into an endless amount of trouble, and it will do the importer harm. I am at a loss to know why in the world any manufacturer should not be allowed to send goods of this description to a foreign country, where the importer could put his label or mark upon it as he pleased. In regard to the remarks made by the member from Victoria division (Hon. Mr. Cloran), he seeems to be under the impression that the manufacturer is going around this country seeking to devour the farmer; and as my hon. friend from Leeds (Hon. Mr. Taylor) has just said, if what he is seeking to have carried out were done, it would no doubt re-act on the manufacturer. Anything which re-acts on the manufacturer hits the labouring man, and the farmer also. In my opinion it is most absurd for any person to oppose a proposition of this nature.

Hon. Mr. ROCHE—A much higher question has been presented than that one by my hon. friend from Leeds and others who have argued on this question; it is a moral question as to whether the Government and Parliament of Canada, particularly at this time, are to connive at fraud.

Hon. Mr. CLORAN—Hear, hear; that is the point.

Hon. Mr. ROCHE—To my mind it is evident that the purpose of the Bill is to enable the manufacturers to send an article of an inferior description in quantity and quality and impose it on the unfortunate moujik, who will afterwards regard every production of Canada as being stamped with fraud. I know these men and the way in which they argue, and the Canadian article will be under a disadvantage that will spread to other Canadian articles. I listened to the very specious argument of my hon. friend from Leeds (Hon. Mr. Taylor), that the labouring man is going to profit by it, but I do not agree with that view. Why, there was a manufacturer in Connecticut who some years ago sent out to the negroes in the West Indies wooden hams and wooden nutmegs, and it soon was generally stated that other goods from that country would not be received; United States goods were tabooed in the market. Such a reputation will spread over all our productions; everything Canadian will be under the ban and the condemnation of foreign nations. This sort of thing spreads from one nation to another, from one grade of society to another, from the moujik to the Greek merchant, and by-and-by Canadian products will be considered on a par and level with the productions of fraudulent United States firms. Shall we here take the responsibility for this Bill? Will my hon. friend the leader of the Government bear the responsibility of conniving at the introduction of a measure like this?

Hon. Mr. LOUGHEED—Yes, I will take the responsibility.

Hon. Mr. ROCHE—Will the Parliament of Canada consent to the passage of a Bill like that? We have discussed in this House the adjustment of Canadian weights and measures to an infinitesimal quantity. I heard the learned remarks offered by the hon. gentleman from Shediac (Hon. Mr. Poirier) describing that the measure of quantity in the metric system was a certain infinitesimal proportion of a radius of the earth, on a meridian of the earth, and that the length of this meridian had been ascertained by the eminent astronomer La Lande. We are anxious, in Canada, to have our measures adjusted to an infinitesimal quantity. Then again the other day, on the subject of potatoes, how we laboured over that, to get the bag to contain a certain exact quantity, and the bag to have a certain weight—all this, to eliminate the loss of an infinitesimal amount of money on the purchase of a cheap article like potatoes. The effects on the reputation of Canada, through legislation of this kind, in a great country like Russia, in Roumania, and in other countries which receive and consume these articles which we can produce—and may in future produce to excess, of even the needs of the Northwest—will be serious indeed. Therefore, we should very carefully guard this article, which is a sample of the rest of our productions, and by our votes and also our sentiments uphold the fair name of Canada in all the foreign markets of the world.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. BEIQUE—I cannot very well appreciate the importance which seems to be attached to this Bill. I know the necessity of this legislation. The law as it stands our statutes provides that all binder twine must be labelled and that the label must state the quantity contained in the ball. That law can only be enforced in this country, and the moment the twine is exported, of course, the manufacturer or the purchaser of the article is at perfect liberty to remove the label and sell the twine without any representation at all. Therefore, I fail to see the importance of having binder twine intended for export labelled, because the label would not be of any consequence the moment that the twine passes across the Canadian frontier. Then the law concerning it would cease to be enforceable, and the tags may be easily removed. It has been argued that it is incumbent upon us to protect the citizens of this country, and that we are doing so by this legislation, as we have done it in other cases. This distinction, however, must be made—that when we are dealing with such articles as cheese or butter, a very large number of people may suffer by the sale of an inferior article; hence the necessity of our protecting the purchasers at large in this country in order that the article may maintain its merits and may command a better price. I understand there is very little

binder twine manufactured in this country; in any case the manufacture is within the hands of a very few people. If it is to their interest to get rid of the necessity of labelling binder twine manufactured for export, nobody in this country is interested to the contrary. For my part I can see no objection to the Bill.

Hon. Mr. TALBOT—The discussion so far deals more particularly with sub-clause two, but in sub-clause one there is one matter I would like to have explained, and to see if it could not be changed for the benefit of the farmers generally. It says:

347. Upon or attached to every ball of binder twine sold or offered for sale in Canada there shall be a label with the name of the dealer and the number of feet of twine per pound in the ball marked or stamped thereon.

Now what should be required is the name of the manufacturer. I do not see why it is not the name of the manufacturer. A manufacturer will send twine out to only a very few dealers, apparently. A merchant in a small town where the farmers of the locality would buy perhaps two or three tons of twine is not going to have his name and a label affixed. The tendency is to make more middlemen; if those smaller merchants could buy directly from the manufacturer it would be much better. One of the causes of the high cost of living about which we hear, is the increased number of middlemen. The word 'manufacturer' instead of the word 'dealer' if inserted here would save some middlemen.

Hon. Mr. CLORAN—Move to amend the Bill.

Hon. Mr. TALBOT—No, I want to have it explained.

Hon. Sir LYMAN MELVIN JONES—The object of the law, when it was originally made some years ago, was to get beyond the manufacturer, because a large proportion of the twine used in Canada is not manufactured in Canada. It must be very evident to every member of the House that, if the law were changed to cover only the manufacturer, you would have to go out of Canada to make the law operative, which would be impossible.

Hon. Mr. WATSON—What percentage of the binder twine used in Canada is manufactured in Canada?

Hon. Sir LYMAN MELVIN JONES—I should think eighty per cent of all the binder twine sold in Canada is manufactured outside of Canada at the present time. Some years ago a very large percentage of the binder twine used in Canada was made in Canada.

Hon. Mr. TALBOT—Then would it not do to say, 'manufacturer or importer?'

Hon. Sir LYMAN MELVIN JONES—I shall come to that in a minute. Binder twine, as almost everybody knows, is on the free list, and any one who makes it in Canada makes it to compete equally with any maker in the world. Because of that, the Government of Canada when they decided to put it on the free list, enacted that every kind of material going into buildings for its manufacture erected in Canada, should be on the free list, and also that all kinds of machinery used in its manufacture, and everything in connection with binder twine making in Canada should be free. Thus, so far as it is possible, it has been made cheap by the Government, when they put it on the free list. As every one will recognize, the object was that, as this was an important article to the most important industry in Canada, it should be made as cheap as it was possible to make it. When you come to consider the question of the dealer, the object of the law was to bring the dealer directly responsible to his customer, if he sold him an article that was not up to the standard; therefore the farmer living in Alberta, Saskatchewan or Manitoba buying his twine assuredly, or almost assuredly, from the dealer in one of the provinces, doubtless in one of the villages near him, would have a right of action against a man that was near without trouble and cost. Therefore the clause gives to the user of the twine the best possible protection he could have.

Hon. Mr. CLORAN—What about the dealer?

Hon. Sir LYMAN MELVIN JONES—If you will allow me to state the case as I understand it, I shall answer any question put to me; there is no object in interrupting, unless you say something. The dealer who purchases from the maker or from the wholesaler, has the right to go back for his protection to the man from whom he bought. Therefore the dealer was the proper man for the farmer to look to, if he found he did not get what he was promised. That was the most convenient way for him to get his protection, and it will appeal to every one that that was desirable. Then I want to point out this difference further, that the dealer covers the manufacturer:

when the manufacturer makes a sale he becomes a dealer.

Hon. Mr. TALBOT—Are the names of those different dealers on the twine ?

Hon. Sir LYMAN MELVIN JONES—No, but the farmer will know the name of the dealer from whom he purchases his twine.

Hon. Mr. TALBOT—But that dealer's name is very seldom on it.

Hon. Sir LYMAN MELVIN JONES—No doubt the jobber's name will not be on it, but it is almost impossible to consider that there would be a case where the farmer, the user of the twine, would make his purchase from a dealer whose name he did not know. I do not think it would be possible to get closer than that. If you undertake to make the manufacturer put the dealer's name on, you will defeat the object of the Bill in this way—the manufacturer cannot make 150 pounds for Tom Jones and 200 pounds for Dick Smith, and so on, because he does not know who the dealer will be. Take the binder twine business in western Canada, and gentlemen in western Canada know that a very large proportion of it centres in two people in Winnipeg, and that many dealers get, from Winnipeg, binder twine for customers in their vicinity. That is just as common as it is to buy sugar or nails; that is the way the country is supplied. In the earlier years binder twine was sold largely —almost exclusively—by dealers in agricultural implements. To-day that is not so except in the case of manufacturers of implements as well as of binder twine—and that only refers to one foreign company doing business in Canada, the International Harvester Company. Many hon. gentlemen know that that company is the largest maker of twine in the world. It almost as much as all the other makers in the world. Its only important competitor, if indeed it is not the only competitor in the United States, is the Plymouth Cordage Company. These two companies largely control the purchase of sisal in the countries in which it is grown, and those who have followed this question will know that whenever either of these two companies name a price for binder twine in the United States, the other company names a similar price, and that price is maintained throughout the season in the United States. Now in Canada we have, at present, I think, only one binder twine mill running. We had three, but two are closed—the Peterborough mill and one of the two at Brantford—because the competition of these two companies controlling the sisal market and controlling the price of binder twine in the United States and largely influencing and controlling it in the world, places the binder-twine manufacturers in Canada in a very awkward position. They are unable, as a rule, to go into the market with their comparatively limited capital and make purchases of material large enough to carry them through the year; they fear that conditions may arise which would put the price where it would squeeze them to buy raw material. Some hon. gentlemen know, I am sure, that in former years some purchases were made by the binder twine companies from which they had large returns. I have in mind one company in Canada that one year paid a dividend of 80 per cent on the total paid-up capital. The company paid that dividend because it was fortunate in making a large purchase at a time when the price of the raw material was low. The price rose and they made a very large profit and paid the eighty per cent dividend I have mentioned, yet within three years they were bankrupt, because the conditions were adverse for two years in succession.

Hon. Mr. ROCHE—May I ask whether that condition did not arise from the fact that, in the Philippine island, they put an embargo on exportations of sisal to other countries than the United States?

Hon. Sir LYMAN MELVIN JONES—When the United States Government got control of the Philippine islands they put an embargo on all hemps. Hemps, of course, are not exclusively grown in the Philippines. They are grown in some of the South American states, and to some considerable extent in the south of Europe states. In Egypt, the British Government, for the protection of the people of Great Britain desiring to use this class of fibre, has spent large sums of money to encourage the cultivation and growth of fibres of that nature, and it is being grown there successfully. Therefore the difficulty that countries, other than the United States laboured under, after the United States became interested in the Philippine islands have disappeared, and the situation is levelling itself up because of the possibility of growing fibrous material largely in other countries than

the Philippines. The difficulty in Canada, and the difficulty that this Bill is intended to overcome, is simply this: in Canada a man may make his binder twine but under the law he is not permitted to offer it for sale and deliver it to a foreigner. If he could make it and export it and then sell it, he could get from under the law, but that is an impossibility. As I understand the Bill, it is only intended that if a manufacturer finds it necessary or possible to keep his mill running by exporting twine, that he shall be enabled to export it under those conditions necessary for exportation. I think the House generally will agree that free trade in binder twine is a desirable thing. The gentlemen who are opposed to this Bill would be largely free traders I take it—at least this is so of the gentlemen who have spoken against this Bill. Now, if that is the case why, and upon what possible grounds do they say that a man shall not make twine and export it unless he puts some specific brand upon it which will in effect prevent him exporting it? You may just as well put a clause in this Bill saying that the makers of binder twine in Canada shall not export it, as to ask them to export it as the law stands.

Hon. Mr. TALBOT—If the only mark on it is that each ball contains so many feet, is it wrong to have the manufacturer compelled to place that mark on twine exported?

Hon. Mr. CLORAN—No.

Hon. Sir LYMAN MELVIN JONES—I do not say it is a crime, if you mean it in that sense, but it is wrong in this sense, that he could not sell it. What would it mean to a farmer in France who is going to buy 100 lb. of twine if he found it marked 550 feet? There would not be one farmer in ten, if in fifty, or even in five hundred, who would know what 550 feet meant; if we put it in pounds he would not know what that meant because there are no pounds in France. He would expect to find the ball marked so many kilos.

Hon. Mr. TALBOT—There would be no objection to the manufacturer putting it in the language of the country to which he is exporting it.

Hon. Sir LYMAN MELVIN JONES—But when he is making it he does not know to what country he is exporting it.

Hon. Mr. TALBOT—The same argument might be used in connection with any article produced in Canada.

Hon. Sir LYMAN MELVIN JONES—It would be just as reasonable from a business standpoint to say that you shall not export potatoes from Canada unless they weigh one pound each, as to say that you shall not export binder twine unless it is marked as possessing such a weight. If we were sending it to Germany what would kilos, or pounds, or feet mean? And if we were sending it to Russia, still more so; they would have no possible conception of what it meant. The hon. gentleman who spoke a little while ago said that Canadian twine is only being sold in countries where Canadian machines are being used, and it is being sold for that reason. It may only be sold in countries where Canadian machines are in use, but that means a good many countries, because Canadian binders are more or less in use in almost every grain growing country in the world. The Canadian machines in use in those countries are not very numerous, but Canadians have sold, and I hope it is to the credit of Canada, hundreds of thousands of machines to various countries in the world with the words 'Made in Canada' marked on them.

Hon. Mr. TALBOT—The same words should be marked on the twine.

Hon. Sir LYMAN MELVIN JONES—Thousands and hundreds of thousands of immigrants have been brought to Canada because of their attention having been called to the country through the export of Canadian manufactures of many kinds. Every one should consider it desirable that Canadians should be helped to export their manufactures, because it brings labour to the country and profit to the manufacturers, and because it brings prominence to Canada. A better reason still is that the larger the amount of goods that can be turned out of a factory the cheaper these goods can be produced and the cheaper they will be sold in the country in which they are made. That may be laid down as something incontrovertible, that only by manufacturing in large quantities can we compete to-day with the conditions which exist generally in the world. As I understand this Bill it is not the intention, nor will it be possible or practicable for a maker of binder twine to sell his output to a person for use in Canada without having a brand upon it, as in the past, stating

exactly what it contains. I agree entirely with that principle. It is an excellent idea and has been a great benefit to the people of this country, but it does not apply to exports.

Hon. Mr. TALBOT—Why?

Hon. Sir LYMAN MELVIN JONES—Surely this House does not want to put an embargo on the possibility of exporting what can be exported to advantage by a maker in any line of business in Canada. And if the Bill goes no further than that I am sure there is no member in this House who desires to prevent the exportation. No member of this House will put an embargo on a manufacturer, for the sake of saying he ought not to send to a foreign country anything of a lower standard than we produce here. We produce much higher standards in Canada than in other countries in many lines of business, and it is sufficient for us to leave to the individual who has the energy to go into foreign countries and get business, the same opportunity to get it that the people in all the other countries have of getting the same business in Canada. If the people in other countries are not getting as high a standard as we get in Canada, they will be getting a higher standard than they are getting in the United States.

Hon. Mr. TALBOT—That is the secret of the whole Bill, and why don't they say it?

Hon. Sir LYMAN MELVIN JONES—Why not leave it to themselves to decide whether they will purchase from the Canadian manufacturer? This measure, no doubt, is the result of a condition that arose this year in reference to a very considerable export order from Canada in which the maker found himself under the law practically committing a crime, although he was not selling the goods for Canadian use at all, and it is to enable him, if he gets another opportunity to export goods, as he doubtless will, because his goods have been reported on favourably, to go to France, Germany or Russia; and there is this peculiar condition, that in some countries in Europe where the Government is desirous of helping, as the Government of this country is desirous of helping the greatest of all industries, the farming industry, the importer in Russia—using Russia again as an illustration—who imports from a foreign country one hundred or two hundred or a thousand binders, is permitted to bring in a certain number of pounds of twine, or kilos of twine, or poods of binder twine free of duty. You will see at once if there are Canadians doing business in that country in binders, and they can ship with the same shipment binder twine from Canada, it will go into Russia free. Canadian manufacturers who have been shipping to Russia, particularly where that law applies, have in the past years been purchasing binder twine in the United States, hundreds and thousands of tons, to send with their shipments of binders via New York to Russia. If the Canadian exporter of the binders could purchase suitable twine in Canada surely that would be to the advantage of this country. Many times they are forced to purchase it in the United States, or elsewhere, and it has been purchased exclusively in the United States this year, because it goes into Russia free of duty to the extent of fifty or one hundred poods per binder. Exporters in the United States are doing a very large business in Russia shipping their twine with their binders. There is no difficulty arising in that case. Canadians who are competing with them for machinery meet the difficulty that I have mentioned, which would be overcome by this Bill, provided the prices in Canada were such as to enable the shipper to take the home twine instead of going to another country and buying it, and binder twine is not always balled the same for foreign countries as it is balled here. In some countries it is balled in smaller reels and in some countries larger, and these are conditions which have to be provided for.

Hon. Mr. WATSON—There must be some object in this legislation or some request for it, and from what I know about it, the request does not come from the users of binder twine. Sub-clause 3 of the Bill reads as follows:

3. The Minister of Trade and Commerce for the time being may make such regulations as he deems necessary to prevent the sale or use in Canada of unlabelled binder twine.

Hon Sir LYMAN MELVIN JONES—Read three words further—'manufactured for export only.'

Hon. Mr. WATSON—What is the object in making the change? The present Act starts?

Upon or attached to every ball of binder twine sold in Canada there shall be a label with the name of the dealer and the number of feet of twine per pound in the ball marked or stamped thereon. Provided that binder twine manufactured in Canada for export need not be

labelled with the name of the dealer, but there shall be attached to every ball so manufactured a label with the number of feet of twine per pound in the ball marked or stamped thereon in the same manner as when for sale in Canada.

They do not ask for the dealer's name on the twine for export. They ask the number of feet. It is possible some of those dealers expect to be able to pawn off some of that binder twine, supposed to be for export, on the Canadian farmer, because you are making a provision that the Minister of Trade and Commerce may make such regulations in regard to the binder twine? Why give authority to make any such provision at all?

Hon. Mr. LOUGHEED—There is a fine of $1,000 in the event of such manufacturer or dealer selling this twine for Canadian consumption. If the hon. gentleman will look at section 350 of the Act he will find the provision for the penalty, which remains undisturbed.

Hon. Mr. WATSON—But if the twine is made in Canada there is no need to sell it in Canada.

Hon. Mr. LOUGHEED—If it is sold in Canada he leaves himself liable to a fine of $1,000.

Hon. Mr. WATSON—The manufacturer or dealer?

Hon. Mr. LOUGHEED—The manufacturer or dealer. The section reads as follows:

Every manufacturer or dealer who falsely represents any binder twine found in his possession as manufactured for export, or who sells or offers for sale for consumption in Canada any such twine shall be liable to a penalty of $1,000.

Hon. Mr. TALBOT—Clause 3 says he shall be liable to a penalty not exceeding $50, and for each subsequent offense to a penalty not exceeding $100.

Hon. Mr. WATSON—With that penalty clause attached, what is the object of the Minister of Trade and Commerce being able to make regulations in connection with the matter at all? You fix the quantity of twine, the number of feet per pound, which is the same thing. So far as the export twine is concerned it makes no difference whether a ball of twine is short two, three, four or five feet or six feet; what you require to give is the number of feet per pound in the ball of twine, whatever it may be.

Hon. Mr. LOUGHEED—My hon. friend does not appreciate this point; so long as the twine has to be labelled, it is subject to all the inspection regulations of the Act, and therefore the twine cannot be manufactured for export without being subject to inspection. I should like to point out this consideration; inasmuch as this product is for export, and as foreign nations do not impose regulations calling for a label upon binder twine for export, it can be readily seen that the Canadian manufacturer is handicapped when competing with foreign manufacturers who are producing the article for foreign export.

Hon. Mr. TALBOT—I do not understand why the Canadian manufacturer would be at a disadvantage if he guaranteed his twine.

Hon. Mr. LOUGHEED—My hon. friend is not serious in thinking the consumer in southern Europe, Russia, Germany or France will take into consideration the solicitude of the Canadian Parliament to protect him. He will pay no attention to it whatever. You will have to give the Canadian manufacturer the greatest possible liberty in competing with the foreign manufacturer for export purposes, and to the extent that you place restrictions on the Canadian manufacturer in manufacturing a product for the foreign market, to that extent you handicap him as against the foreign competitor.

Hon. Mr. WATSON—Why is the Minister of Trade and Commerce called in to make regulations?

Hon. Mr. LOUGHEED—That does not touch the regulation for which the Act has already made provision in the way of a penalty of $1,000. There are many minor regulations which have to be passed; that is, regulations not of the character already provided for in the statutes. I think the statute is abundant in the measure of restriction which it has imposed.

Hon. Mr. WATSON—I think so too.

Hon. Mr. LOUGHEED—But it is desirable, in order to meet all the contingencies which may arise, that the Minister of Trade and Commerce should have authority to make regulations, but those regulations would not supersede the provisions embodied in the statute.

Hon. Mr. POWER—It is a little remarkable that this proposed change in the law should come to the front just, as

the hon. gentleman from Toronto informed the House, when we were beginning to do a little more business in the way of making binder twine. For a number of years there was very little binder twine manufactured in Canada, and there was no objection to the present regulation.

Hon. Sir LYMAN MELVIN JONES—I did not make that statement. I did not say that we were getting into a larger industry in making binder twine. As a matter of fact, it is not a quarter of what it was when there was a duty on it. The industry in Canada has shrunken tremendously since binder twine was put on the free list.

Hon. Mr. POWER—Perhaps I misapprehended the hon. gentleman, but I understood him to say that up to the present year or last year, there had been a very small production in Canada. That was correct, was it not?

Hon. Mr. DANDURAND—It has shrunk since it was put on the free list.

Hon. Mr. POWER—It shrunk after binder twine was put on the free list. It is now growing again.

Hon. Sir LYMAN MELVIN JONES—Eighty per cent of the binder twine used in Canada was imported and only about twenty per cent manufactured in Canada.

Hon. Mr. POWER—The explanation of the hon. gentleman from Toronto was interesting and instructive, and the hon. gentleman made it perfectly clear that the use of the word 'dealer' is more proper and better adapted to meet the case than that of the word 'manufacturer.' I think the hon. gentleman from Alberta was wrong in suggesting that we should substitute the word 'manufacturer' for 'dealer,' but the general principle and the original statements made by the hon. gentleman from Alberta were perfectly sound and they have not been controverted by any hon. gentleman who has spoken since. The hon. gentleman from Calgary pointed out that in the case of a great many manufactured articles, in the case of nearly all our farm products, goods intended for export must be marked not only with the quantity, but with the quality, and with the name of the maker or producer. As the law stands at present it is not required that the name of the maker of binder twine shall be affixed to the twine. It is only provided that the number of feet per pound shall be placed on the label of the twine. I fail altogether to see that any gentleman has shown how that is going seriously to interfere with the interest of the Canadian manufacturer. The label is not an expensive thing, and that each ball shall be labelled with the number of feet per pound does not seem to me to be a grievance to any one. There is this about it, as the hon. gentleman from Calgary put it, we should have regard to the reputation of our goods in other countries. When an importer in Russia, France or other country imports a quantity of binder twine from Canada it is only reasonable he should have a guarantee that he is getting the quantity which he is supposed to be getting; if this is desirable in the case of other manufacturers, in order that the reputation of the country should be kept up, it applies just as well to binder twine as to the other things. The hon. gentleman made one objection to retaining the label which struck me as being rather insignificant, coming from a gentleman of his business experience; the hon. gentleman wanted to know what object there was in saying that the binder twine measured 550 feet to the pound, because in France they would not know what feet meant. I think the hon. gentleman is giving the importers in France credit for an ignorance they do not possess. The importer in any French port knows what an English foot means.

Hon. Sir LYMAN MELVIN JONES—I did not say the importers of France, I said the consumer.

Hon. Mr. POWER—I took down the hon. gentleman's language, and his contention was that in France they would not know what 550 feet meant. I am surprised the hon. gentleman should make a statement of that kind, because he went on a little later to talk about the number of pounds in Russia. It is perfectly absurd, if I may be pardoned for using that word, to say that the importer—that is the man who deals directly with Canada—does not know what 550 feet means. Then again the hon. gentleman said the consumer would not care for the label. Perhaps he will not, but a foreign importer will, and the foreign importer is after all the man who is directly connected with Canada. I regret myself that the Government has seen fit to introduce this measure, which is calculated to encourage fraud and to damage the reputation of Canadian goods in foreign markets.

Hon. Mr. DANDUDAND—I follew the remarks of the hon. leader of the Government and the hon. gentleman from Toronto (Hon. Sir Lyman Melvin Jones) very closely, because I confess I am not very familiar with this subject—the manufacture and sale of binder twine. I am free to admit that I have not ascertained just what injury the Canadian manufacturer would suffer, if he exported his goods under the present Act. What is the dealer or the manufacturer obliged to do? He is obliged to put his name on the article he manufactures, and to give the number of feet of twine per pound in the ball, in order to obey this law. Would the hon. gentleman from Toronto, who has had considerable practical experience, give us an illustration of the injury which this would work to the manufacturer who receives an order for export? I should like to be satisfied and understand clearly that he is in an inferior position to that of the American manufacturer who is not working under such a law. To put his name upon the ball seems to me to give greater satisfaction to the ultimate consumer, to the farmer in Europe, because there is a certain satisfaction in knowing where the article you use comes from. There is, therefore, an apparent guarantee of honesty, when the name is stamped on the article. Secondly, the manufacturer is obliged to mark the number of feet of twine per pound on the ball. The obligation of the manufacturer is to put that label on the article. I would like the hon. gentleman from Toronto to give me an illustration showing why and how the Canadian manufacturer will be placed in a position of inferiority to his competitor in the foreign land, if he obeys this law.

Hon. Sir LYMAN MELVIN JONES—I can give the hon. gentleman a specific case, which will cover exactly what he is asking. Helfrich and Sadet, of Southern Russia, are amongst the largest importers of harvesters and binder twine in all European Russia. Helfrich and Sadet, within the past year, asked for tenders for a large quantity of binder twine. They stipulated that it must have their name on the tag and contain other Russian characters that meant something to them and to their Russian customers. They refused to take binder twine branded with either an American or Canadian name of maker, or with number of feet. They gave as a reason that they had made their reputation in their own country, in their own business with their customers, and what their customers are interested in was having the name of a binder twine of some person that they knew of, and that would give them confidence to make the purchase.

Hon. Mr. CLORAN—That would be selling goods under false pretences.

Hon. Sir LYMAN MELVIN JONES—It might, if you had a bad reputation. These men had a good reputation, because they were two young Scotchmen who went there forty or fifty years ago and became one of the largest importing houses in Russia, and they had made a name for themselves and for the goods that they handled, and they desired and required a specific tag of a certain size, which would make about six such tags as we put on, and their own name in Russian characters, and so on.

Hon. Mr. CLORAN—'Made in Russia."

Hon. Sir LYMAN MELVIN JONES—There was no 'Made in Russia' on it, there was nothing untrue on it; their own trade mark and conditions had to be placed on that tag. That is not peculiar to binder twine. Some men import thousands and tens of thousands of machines yearly from the United States and Canada, and upon every such implement, their name in Russian characters is put on. All the machines that they take are taken with specific characters put upon them, in place of the name of the maker or the name of the place where they are made.

Hon. Mr. TALBOT—Does the hon. gentleman mean that Canadian machinery exported, we will say, to Russia, does not contain the name of the Canadian manufacturers?

Hon Sir LYMAN MELVIN JONES—I mean to say this that so far as I know, in the case of every machine that the Canadian manufacturers ship to Russia, there is the name, address, etc., of the Russian purchaser. I shall only answer for myself as an exporter; in our own case our machines are called 'Massey-Harris'; we have that trade mark; it is not only the actual name of the company, if you will put the name of the company and 'Ltd.' to it—and I am sorry to have to make a personal explanation in order to answer your question—but our machinery carries the trade mark 'Massey-Harris' in every kind of implement, and that always appears on the

implement in a smaller letter; but beyond that there is whatever Russian characters they desire to have, to enable you to give them what they say is a necessity if they are to buy and handle our implements.

Hon. Mr. DERBYSHIRE—And you will paint them red or blue just as they want?

Hon. Sir LYMAN MELVIN JONES—They are painted differently to suit them; there are the various conditions that apply to their country, and those are the conditions that, up to a limited extent, you must either accept or be out of the exporting business. Canada has not yet attained that position in the world of commerce which enables her, in manufacturing, to set a standard so high as to exceed the standards set by the various countries, and which standards, dealers say, are necessary to business in their country. Now I want to answer one objection that the hon. senator from Halifax (Hon. Mr. Power) made to a remark of mine, in reference to the quantity of binder twine made in Canada, which he misunderstood, or else I made the wrong answer, because the quantity made in Canada is not more than one-fifth the quantity imported. The quantity imported into Canada for 1912 and 1913 was between two and three million dollars annually for those two years, which shows that the amount imported is very large.

Hon. Sir MACKENZIE BOWELL—About 30,000,000 pounds.

Hon. Sir LYMAN MELVIN JONES—The senator from Halifax said surely it was neither practicable nor possible that a dealer, who would be the importer into France, would not understand the characters or the number of pounds.

Hon. Mr. POWER—Feet.

Hon. Sir LYMAN MELVIN JONES—Well, in my experience there is no importer into France, because the company that is exporting from Canada to France has its own company in France to handle its own business directly with the farmers, just as in Canada, so there are no importers. The same applies to Germany, and the same applies to the Balkan States; it is the same in Great Britain, and the other countries; the company handles its own business within the country, and therefore I am brought very close to the conditions that are necessary to enable us to do business directly with the farmer. The business is probably a peculiar one, because in a manufacture of that kind you cannot go into wholesale business: you are obliged to look after the customer and see what he requires, after he has made the purchase. It is not like buying sugar, etc. The business that Canada has got has been obtained largely by the building up and the looking after on the spot of customers who have been good enough to give you their confidence and buy your goods. So the thought that I had in mind then, and the practice as it is now, is that there is no importer, there is no large wholesaler who would understand feet and pounds. You are dealing directly with the habitant in France, and you are dealing in other countries with the farmer only, and you are passing by those who would probably understand feet and pounds and other brands that might be found practicable in their case, but these would not protect in the case of the user. Now I need hardly say I have no possible interest in the binder twine industry, never had in my life, and never expect to have, but I know it will be of considerable advantage to the one or two mills running in Canada if they had an opportunity to send their products out with the other products that are going out to the world. It is rather hard lines for a good Canadian to have to buy goods in the United States and to export them to France and sell them through his agencies there, in Russia and other places, I take it that this House, feeling assured that this Bill only deals with the question of export and the conditions attached thereto, will have no objection to leaving the dealer in those countries in the hands of Canadians who otherwise would be in the hands of Americans or of the manufacturers of some other country.

Hon. Mr. DERBYSHIRE—That is right.

Hon. Sir LYMAN MELVIN JONES—They are surely as safe in our hands as they would be in anybody else's, and there is that business integrity in Canada that will hold its own and more, as I know from experience, as against many of the importers or exporters from other countries. There will be an advantage to Canada in this exportation; it may be small, but it will grow. Everything has to have a beginning. We have

an opportunity to make a beginning, and I hope the House will not prevent the exporter, or possible exporter from Canada, from sending his goods to foreign markets, as the Bill has no effect on the Canadian end of the business, which I have no desire it should have.

Hon. Mr. EDWARDS—I have listened with a good deal of interest to this subject which was entirely foreign to me before, and I can well conceive a Canadian being very zealous in the protection of the rights of the Canadian farmer in this respect, but I am not able to understand gentlemen contending against those who have a large knowledge of foreign conditions which we here generally know nothing about. I, for instance, know nothing about this question, but I can only say this, that in our own exporting business we have to respond to the whims and desires of those who buy our goods, and a great deal of our product which is exported is stencilled as the buyers in Great Britain and the other countries desire. Our name counts for nothing; the name of the importer is responsible in the transaction.

Hon. Mr. McHUGH—I have taken a great deal of interest in the discussion as it has gone along on this question. Some hon. gentlemen who have spoken on the subject have been making a comparison with the branding of applies and butter and cheese along side of that of binder twine. Now those dairy products and fruit products that are sold by an honour brand, are in altogether a different position from binder twine. I remember some years ago the Government brought in a Seed Bill which I thought was going to be very injurious to the farmers of this country if allowed to pass, because they wanted a particular brand put upon screenings; this was intended to protect the farmers against fraud, while as a matter of fact that seed was not sold on standard at all, but on sample sent to the purchaser in Belgium, Germany, Scotland, or elsewhere. When the purchaser saw the sample he ordered so many pounds or bushels of the seeds according to that sample, and if the shipment did not come up to the sample it was returned, and the buyer fell back on the man who sent it to him. It is the same with binder twine. The factory having binder twine to sell makes up small parcels of different brands of the twine, and sends it to the purchaser in the foreign country, who returns his order for certain quantities of one brand or another. Now this Parliament is quite within its prerogative when legislating to protect the farmers and consumers of this country against fraud by the manufacturer, and in protecting foreigners against wrong-doing n the part of the manufacturers of the country; but when this Parliament sees that the manufacturers of the country carry out the conditions of the laws of the foreign country to which they are sending their goods, the duty of Parliament in that respect ceases. I am fully aware of the injustice it would be to the manufacturer of binder twine, if he had to put certain labels on it which the foreign purchaser does not want put on.

Hon. Mr. DERBYSHIRE—Which he will not have on.

Hon. Mr. McHUGH—Which he does not want, or will not have on. There is no law in the United States compelling manufacturers there to put on tags telling the number of feet, but I have known purchasers of binder twine who asked for it to be tagged in a certain way, just for the retail dealer who tried to build up a reputation for that particular brand. One hon. gentleman said that he knew a binder twine factory here to make some 80 per cent dividend in one year. They declared a dividend of 80 per cent, true enough, but that was not upon the twine that they manufactured; it was on a large purchase of the raw material which was sold to Americans when the embargo went on; not a pound of it was manufactured in Canada, but the 80 per cent was made by selling the raw material that they had purchased.

Hon. Mr. BOYER—It strikes me that in this discussion there is a great deal of foreign mission zeal. The hon. senator from Toronto (Hon. Sir Lyman Melvin Jones) has told us that eighty per cent of the binder twine consumed in Canada is imported. Now, is not this Canadian market worth catering to? Cannot the manufacturers of binder twine supply the Canadian market and exclude foreign competitions?

Hon. Sir MACKENZIE BOWELL—No.

Hon. Mr. BOYER—They do it to the tune of 20 per cent; do they find it pays better to supply Russia than to supply the home market to the tune of 80 per cent? But there is another phase of this Bill; if the manufacturers are satisfied that the Canadian public should be protected against

whatever dishonesty may happen, and to let it go abroad that the Canadian Government, doubting the honesty of the Canadian manufacturers, imposes certain restrictions when they serve the Canadian public but that when they go outside of Canada they can do as they please—then if the factories are satisfied I am.

Hon. Mr. BOSTOCK—I would like to ask the leader of the Government if he will give us a further explanation of sub-clause 3 of this clause. I cannot exactly understand the object of putting that in. Under the present law we have in section 350 of chapter 85 a penalty fixed for 'every manufacturer or dealer who falsely represents any binder twine found in his possession as manufactured for export.' Now, if I understand this binder twine business at all, the manufacturer who manufactures binder twine for export will only make it for export when he receives a definite order for so many tons or pounds or feet, or whatever it is, of binder twine; therefore, if he fills that order he should have very little, if any, left over. If he is doing his business properly, he should see that the amount ordered was sufficient to fill the order and no more. I cannot, therefore, see the necessity for the third subsection, putting it in the power of the Minister of Trade and Commerce to make regulations to deal with this question, which apparently assumes that the manufacturer will have a great deal of twine on his hands that he has manufactured for use in Canada and wants to export.

Hon. Mr. THOMPSON—All he would have to do to make it exportable would be to take off the label.

Hon. Mr. LOUGHEED—As I have said, the Act seems to make ample provision for any attempted sale of export goods within Canada, but subsection 3 simply provides for regulations which, I presume, might not be reached by the other provisions of the Act. Many unforseen conditions arise, and it seems to me it only makes more secure the proper enforcement of the Act to vest in the minister power to make regulations to prevent any violation of the law in such a case for which the Act may not have made provision.

Hon. Mr. BOSTOCK—Would it have the effect in any way of over-riding section 350?

Hon. Mr. BOYER.

Hon. Mr. LOUGHEED—No regulation could over-ride a statute except the express language of the statute made it so.

The clause was adopted.

Hon. Mr. MURPHY, from the Committee, reported the Bill without amendment.

BILLS INTRODUCED.

Bill (I-3), An Act for the relief of Robert Markle Richardson.—Hon. Mr. Derbyshire.

Bill (J-3), An Act for the relief of George Andrew Crooks.—Hon. Mr. Derbyshire.

Bill (147), An Act to amend the Post Office Act.—Hon. Mr. Lougheed.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

Friday, May 8, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

A QUESTION OF PRIVILEGE.

Hon. Mr. CLORAN—Something has happened in a far distant part of this Dominion which I have no doubt has attracted the attention of the Government as well as the attention of the people of the Dominion. A legislature of this Dominion, under its powers and privileges, sentenced a newspaper writer on the Halifax Herald, named McCurdy, to the common jail. That act was within the jurisdiction of the legislature. He was conveyed to jail under the direction of British law, and with the sanction of the British Crown. But we find that, after a few hours incarceration in the common jail in Halifax, a part of the militia of Canada is drafted into an act of insurgency and marched down to the common jail under the British flag, for what purpose? To sustain and maintain the law of the land? No; to glorify the prisoner and play music to him. I wonder if they played 'God Save the King.' That would be God save the King on one side, and God damn the King on the other side. These facts are known throughout the Dominion of Canada, and are under the consideration of the Minister of Militia, or they ought to be. I desire to have the attention of the hon. gentleman from Hastings (Hon. Sir Mackenzie Bowell)—

Hon. Sir MACKENZIE BOWELL—We know what the hon. gentleman is going to say.

Hon. Mr. CLORAN—Then why did not the hon. gentleman prevent it? If he is a loyal man why did he not advise the Minister of Militia to prevent the militia engaging in an act of insurgency against the British Crown. Why did he not stand up for the Crown as a loyal Orangeman?

Hon. Sir MACKENZIE BOWELL—Hear, hear.

Hon. Mr. CLORAN—He is ready to stand up for men who are ready to kick the Crown and the King into the Boyne; ready to stand with the Carsons and Bonar-Laws, but we Irish are not prepared to do that. All we are asking for is justice, and the hon. gentleman from Hastings (Hon. Sir Mackenzie Bowell), the Past Grand Master of the Orange Lodge, knows well what I mean.

Hon. Sir MACKENZIE BOWELL—I do not think they will ask the hon. gentleman for his character.

Hon. Mr. CLORAN—They need not ask me, nor any sensible or loyal man for his character.

Hon. Sir MACKENZIE BOWELL—I question that very much.

Hon. Mr. CLORAN—I am asking the Government that my good money and the good money of the people of this country be not spent to pay men who are engaged in acts of insurrection against the British Crown.

Hon. Mr. DAVIS—They are loyal when it suits them.

Hon. Mr. CLORAN—I hold that, if the Government has not taken action, it is derelict in its duty towards the people of Canada and British connection. Are we going to have enacted in Canada such scenes as are occurring in Ulster—a few people in a state of insurrection against the Crown because the British Parliament wants justice to be done to all parts of the Empire. Here in Canada are we to stand silent and dumb while the militia parades in front of a jail glorifying a prisoner sentenced thereto by the highest authority of the land? Is that what you want to inculcate into the Canadians of this country; is that what you want to teach the foreigners coming here every day—that so long as you belong to a certain sect, or a certain party, you can defy the law? I demand here that the hon. leader of the Government in the Senate—who is not directly responsible—communicate to the Government what the demands of this country are; that the officers in charge of that part of the militia who brought out that militia band be reprimanded. Fortunately the band consisted only of trombones and cornets. God knows what would have happened if they had brought out the militia, with their bayonets and their guns. But they brought out music, which is the first step towards insurrection; it is against the law of the land, and against justice as expressed by the legislature of the province. What a nice spectacle we present to the world, that a legislature can make its order and have it reviled in that fashion.

Hon. Mr. KIRCHHOFFER—Carried.

Hon. Mr. CLORAN—Are you one of those that were in the band? Are you the trombone of the band? You are probably the bass drum. Now this matter is serious, and it will be taken seriously. If the Royal band in Quebec turned out in the same fashion, the member from Hastings (Hon. Sir Mackenzie Bowell), would be up in his lodge demanding the decapitation of the whole of the people of the province, and all the Orange leaders throughout Ontario would be urging people to go for the French, just the same as they did when the poor 65th regiment turned out for the Eucharistic Congress. That is one of the cries they had with which to beat the Liberals in the last campaign. Poor Orangemen! they are prepared to do everything for themselves and allow no person else to do anything.

Hon. Mr. KIRCHHOFFER—Carried.

Hon. Mr. CLORAN—There is the trombone again; he goes according to the band master. Now we have had experience, right here, of a part of the militia turning out, not against the interests of the Crown, not against the orders of justice from a legislature, but turning out in a religious procession without arms; the Militia Department was denounced, and the province of Quebec was denounced from one end of the land to the other because of this. Are we going to stand here with silent tongues and unworked arms, in the face of these facts. I say no, and it is the duty of the Government to force its Minister of Militia, Colonel Sam. Hughes, who is an Orangeman—but one who is an Orangeman

for what there is in it—to act at once, and to reprimand the officers who brought out the Royal Canadian Band in Halifax, as an act of insurrection, and as an act of anarchy against the laws of this country.

Hon. Mr. KIRCHHOFFER—Hurrah.

Hon. Mr. CLORAN—The trombone is getting weak; he does not like it, and I know they do not like it; Carson does not like it, Bonar-Law does not like it. They got some encouragement a few weeks ago, as I understand, from one of my colleagues in this House, from the fact that a petition was sent over to the British Government from some member of this Senate calling on the Government not to grant Home Rule to Ireland. Now, Bonar-Law and Carson are the worst enemies that the British Empire have had in the past hundred years. They are worse than the old dynamiters of forty or fifty years ago; they are dynamiting the constitution; they are dynamiting the parliamentary laws of Great Britain; they are compelling the British people to ignore one of the oldest institutions in the history of England, the House of Lords. However, they are going to be ignored and the Home Rule Bill will go through in spite of them. Now, all that is due to the same spirit as animated the Royal Band—I shall not say the members of the Royal Band, but the men who are responsible. I suppose Senator Dennis had nothing to do with it. His nose was tweaked, and he has probably had sense enough to remain quiet, but I hold that this incident is one that should not be tolerated by our Government. When these militia men went out to play music in front of the common jail, in honour of a prisoner confined there, they were doing so at the expense of the people of this country. On that ground I stand and insist that an answer must be given—not to me personally, because I have got it beforehand,—but to the people of this country, as to why such a thing was done, and also if the Government approves of the action tatken.

BILLS INTRODUCED.

Bill (K-3), An Act for the relief of Florence Merritt Ratz.

Bill (L-3), An Act respecting certain Patents of the Dominion Forged Steel Car Wheel Company, Limited.—Hon. Mr. Belcourt.

THIRD READINGS.

Bill (79), An Act to incorporate the Bruce Peninsula Railway Company.—Hon. Mr. Taylor.

Bill (Y-2), An Act respecting The Canadian Northern Ontario Railway Company. and to ratify and confirm its purchase of a portion of the Carillon and Grenville Railway Company.—Hon. Mr. McHugh.

Bill (93), An Act respecting the Prince Edward and Hastings Railway Company. —Hon. Sir Mackenzie Bowell.

Bill (E-2), An Act respecting The North Shore Power Railway and Navigation Company, and to change its name thereof to Gulf and Pulp and Paper Company.—Hon. Mr. Boyer.

Bill (H-3), An Act for the relief of Georgina Beatrice Boyd.—Hon. Mr. Derbyshire.

Bill (122), An Act to amend The Government Railway Small Claims Act.—Hon. Mr. Lougheed.

Bill (109), An Act to amend The Inspection and Sale Act.—Hon. Mr. Lougheed.

DAIRY INDUSTRY BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (112) 'An Act to Regulate the Manufacture and Sale of Dairy Products and to Prohibit the Manufacture or Sale of Butter Substitutes.'

He said: This Bill, to a very large extent, is a revision of part 8 of the Inspection and Sale Act, which was a consolidation of the various Acts passed between 1886 and 1896, but it proposes to take out of the Inspection and Sale Act the clauses dealing with the inspection of dairy products, and to create an Act to be known as the Dairy Industry Act of 1914, dealing entirely with the manufacture and sale of dairy products, and likewise the prohibition of the manufacture and sale of butter substitute. The Bill has in view the suppression of adulteration, so far as the Government can possibly carry out such an object, and the imposition of penalties which have not been provided for, under the present Act. There is nothing particularly new in the Act outside of that concerning which we have already legislation, unless it be that we bring the Act, so to speak, up to date, in modernizing the regulation of dairy products. When we go into committee I shall be very glad to give hon. gentlemen all the information possible as to the various matters with which we

deal, and the reasons which have led to their adoption by the Government.

Hon. Mr. BOSTOCK—This Act seems rather stringent in regard to this question of butter substitutes. The hon. leader of the Government has not given us any particular reason why that should be absolutely prohibited. I can quite understand it is very necessary that anything in the way of a substitute for butter should be clearly marked and placed before the public in such a way that they may know what they are buying, but I think that in certain cases it may be a good thing for the public to be able to buy butter substitutes, if they know it is not butter, but a substitute for it, and if the person selling it explains that it is a substitute and does not perpetrate a fraud on the public. Probably it is a good idea to put all this legislation in one Act, rather than in the Inspection and Sale Act, where it stands at present. I wish to bring one point to the attention of the hon. leader of the Government in regard to the question of this butter situation out in the West, especially British Columbia. To-day we are importing a very large amount of butter from New Zealand and Australia, and it was a surprise to me last summer to find the amount of New Zealand butter that was being sold through the West in competition with, and I thought rather to the detriment of, our own Canadian butter. I made some inquiries about this, and I found in some retail stores in the country, that this New Zealand butter was being bought by the people in preference to Alberta, Ontario or Eastern Townships butter. I found in most cases that the men working along the line of the Canadian Pacific railway, whom I did not expect to be very particular about the kind of butter they used, insisted on getting New Zealand butter. Very often I was told by store keepers that, if they could not get New Zealand butter, they would go without, rather than buy the other. I further made some inquiries, on one occasion, from men dealing in butter and their travellers, and they informed me that they had found that New Zealand and Australian butter, after it was taken out of cold storage, would keep for a very much longer time than the butter from any of the creameries from any part of Canada. The consequence was that men like surveyors and contractors in railway and lumber camps, and other businesses of that kind who buy a considerable amount of butter, nearly always stipulated that it should be either New Zealand or Australian butter; they were prepared to pay a rather increased price because they knew it would keep longer than what they could get in Canada. I think that is a matter that the Minister of Agriculture should take up and look into, because Canada is certainly an agricultural country, and I understand a great deal of money has been spent, from time to time by the Government, in promoting the creamery industry and the manufacture of butter throughout the country. If there is anything that can be done to improve the keeping qualities of Canadian butter, so that it can be put on an equal basis with that which is brought in from Australia, money spent in finding out the cause of the difference between the Canadian butter and the New Zealand butter would be well spent in the interest of the country. I ask the leader of the Government to bring that matter to the attention of the Minister of Agriculture, and see if something of that kind could not be done.

Hon. Mr. LOUGHEED—That is largely the object of this Act—to improve the making of butter in Canada. When it is put in operation it will contribute, in a very large degree, to overcome the difficulty of which my hon. friend has spoken.

Hon. Mr. DERBYSHIRE—Hear, hear.

The motion was agreed to, and the Bill was read the second time.

SECOND READING.

Bill (107), An Act respecting The Fredericton and Grand Lake Coal and Railway Company and the Canadian Pacific Railway Company.—Hon. Mr. Daniel.

The Senate adjourned until Tuesday next at eight o'clock.

THE SENATE.

Ottawa, Tuesday, May 12, 1914.

The SPEAKER took the Chair at Eight p.m.

Prayers and routine proceedings.

OBSTRUCTIONS OF THE FRASER RIVER.

INQUIRY.

Hon. Mr. Bostock inquired of the Government:

1. Were tenders called for the removal of the obstruction in the Fraser river caused by the

sliding of the Canadian Northern Pacific road bed into the river?

2. If so, how many tenders were received?

3. What are the names of the persons who tendered?

4. Was the contract awarded to the lowest tenderer?

5. What is the amount of the contract?

6. Have the contractors any connection financially or otherwise with the Canadian Northern Railway Company or the Canadian Northern Pacific Railway Company?

Hon. Mr. LOUGHEED—The answers to the hon. gentleman's questions are as follows:

1. No.
2. Answered by No. 1.
3. Answered by No. 1.
4. Answered by No. 1.
5. Answered by No. 1.
6. The department has no information as to this.

Hon. Mr. BOSTOCK—Could my hon. friend tell me who is doing the work in that case?

Hon. Mr. LOUGHEED—I really could not give my hon. friend any answer. The question seems to be based on the assumption that tenders had been called for, and that the contract had been given, based on the tenders. If my hon. friend desires to ask any further questions on the subject, I should be very happy to obtain the information for him.

BILLS INTRODUCED.

Bill (178) An Act to amend the Prisons and Reformatory Act.—Hon. Mr. Lougheed.

Bill (175) An Act to amend the Supreme Court Act.—Hon. Mr. Lougheed.

Bill (M-3) An Act for the relief of Gustav Oscar Lindquist.—Hon. Mr. Gordon.

A QUESTION OF PRIVILEGE.

Hon. Mr. BOSTOCK—Before the Orders of the Day are called I wish to bring the attention of the leader of the Government to an article which appeared in the Manitoba Free Press of Saturday, May 9, which reads as follows:

British Columbia and Canadian Northern Railway Agreement—Fear Safeguards for Province on Canadian Northern Railway Agreement will be lost in Ottawa Proposals.

Vancouver, B.C., May 8.—The wires between Victoria and Ottawa were kept warm to-day while political leaders were trying to make some arrangement between the provincial and the federal governments to avoid a very unpleasant crisis that is facing the administration in British Columbia. Yesterday the Board of Trade of Vancouver passed a resolution calling on the British Columbia Government to do something with Ottawa to see that the deal between Mackenzie and Mann and this province was not repudiated. To-day Sir Richard McBride and Hon. W. J. Bowser, attorney general, have taken up the question with Premier Borden. If any result has been attained it is not yet known here.

'Here is the situation in a nutshell,' said a Vancouver business man and a Conservative, to the Free Press in an interview here to-day. 'British Columbia has guaranteed more than forty-five million dollars to Mackenzie and Mann for construction in this province. In return British Columbia was guaranteed the right to control rates, but if the proposed Canadian Northern Railway Bill becomes law this control, which was the chief quid pro quo for the enormous railway guarantee, utterly vanishes and becomes a dead letter. It is really a repudiation by the Conservative Government at Ottawa of a sacred contract entered into by the Conservative Government of British Columbia. The whole basis of the provincial Canadian Northern Railway guarantee was put up to the people, "give us the subsidy and you control the rates."'

In section 15 of the new Bill at Ottawa, it is provided that the Canadian Northern Pacific becomes 'an undertaking for the general advantage of Canada.' Which means that it falls automatically under the control of the Railway Commission.

No fault with commission.

'No one, of course, finds fault with the Railway Commisison,' said this business man to-day, as he pursued the subject. 'But by its special agreement with Mackenzie and Mann the Government of British Columbia had a valuable control and a double check on the rate question. For instance, if a shipper wished to send cattle from Kamloops to Vancouver the rate on the Canadian Northern is fixed by the Lieutenant Governor in Council at Victoria. The Canadian Pacific as a competing line would either be forced to meet this rate or appeal to the Railway Commission of Canada. The Canadian Northern Railway agreement with British Columbia specially provided that in such an eventuality the Canadian Northern railway itself was forced to appear before the Railway Commisison and uphold the provincial Government in the lower rate which it had fixed. By the agreement the Canadian Northern Pacific was stopped from ever appealing to the Railway Commission. All this arrangement is admittedly lost if the proposed enactment at Ottawa becomes law. To me it looks like the repudiation of an agreement which should be respected. I don't know how people in the East will view it, but it means a lot in British Columbia.'

That apparently is the opinion of the business people in Vancouver, and I would like to ask the leader of the Government what information he can give us as to the telegrams that have apparently been passing between the two Governments, and what steps, if any, have been taken to compel the provincial Government to recede from the position which they have taken and which they held out to the people of British Columbia.

Hon. Mr. LOUGHEED—It is somewhat premature to discuss this measure. It is expected that, in a very short time, the measure will be brought down to this Chamber, and my hon. friend, as well as other hon. gentlemen in the House will have the opportunity of discussing it at length. I shall strongly advise my hon. friend not to place too much confidence in the rumors and reports he may read—in some of the papers.

Hon. Sir MACKENZIE BOWELL—Hear, hear.

THIRD READINGS.

Bill (97) intituled: 'An Act to incorporate The Labrador, Quebec and Southern Railway Company.'—Hon. Mr. Belcourt.

Bill (G-3) 'An Act to incorporate The Canadian General Council of Boy Scouts Association.'—Hon. Mr. Bostock.

VINEBERG DIVORCE CASE.

The Orders of the Day being called:

Consideration of the thirty-fourth report of the Standing Committee on Divorce, to whom was referred the petition of Helen Vineberg, together with the evidence taken before the said committee.

Hon. Mr. ROSS (Middleton) in the absence of Hon. Mr. Kirchhoffer moved that the order be discharged and put on the Order Paper for to-morrow.

Hon. Mr. WATSON—Those who received this evidence will notice that it is a very voluminous document. A number of the senators are not here to-night, and will not have an opportunity of reading the evidence before to-morrow. As this is a contested case, I would move that it be put off until this day week.

Hon. Mr. CLORAN (in French)—Hon. gentlemen, this is an interesting question.

Hon. Mr. POWER—The hon. gentleman can not discuss the merits of the Bill on this motion.

Hon. Mr. CLORAN (In French)—I propose this evening to discuss this delicate question, and to express my opinion as to the manner in which divorce is dealt with by the Senate. Here is a Bill asking the Parliament of Canada to sanction the separation—

Hon. Mr. POWER—I rise to a question of order. The hon. gentleman is undertaking, on a motion to postpone this Order of the Day until Thursday, to discuss the merits of the case. Now that is clearly out of order.

Hon. Mr. CLORAN (In French)—Does the hon. gentleman from Halifax understand what I am saying?

Hon. Mr. POWER (In French)—Yes, but perhaps the hon. gentleman does not understand what he is saying, himself.

The SPEAKER (In French)—The hon. gentleman has no right to discuss the merits of the Bill on a question of adjournment.

Hon. Mr. CLORAN (In French)—I ask His Honour the Speaker, and the hon. member from Halifax, if they will kindly show in what respect I have been discussing the merits of the Bill?

The SPEAKER (In French)—The hon. gentleman from Halifax has raised the point of order that the hon. member was proposing to discuss the merits of the Bill, and my statement was that he had no right to do so on a question to adjourn the consideration of the report.

Hon. Mr. CLORAN (In French)—My intention is not to discuss the merits of the Bill on this occasion. I am simply asking that this report, which is now before the Senate, be not considered until some time next week.

The SPEAKER (In French)—Then the hon. gentleman should propose an amendment to the main motion, which is to postpone the consideration of the report until Thursday next.

The motion was agreed to.

SECOND READINGS.

Bill (13), An Act for the relief of Robert Markle Richardson.—Hon. Mr. Derbyshire.

Bill (J-3) An Act for the relief of George Andrew Crooks.—Hon. Mr. Derbyshire.

DAIRY INDUSTRY BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into Committee of the Whole House on Bill (112) An Act to Regulate the Manufacture and Sale of Dairy Products and to Prohibit the Manufacture or Sale of Butter Substitutes.

(In the Committee.)

On subclause A of clause 5:

5. No person shall:—

(a) manufacture, import into Canada, or offer, sell or have in his possession for sale, any oleo-margarine, margarine, butterine, or other substitute for butter, manufactured

wholly or in part from any fat other than that of milk or cream.

Hon. Mr. POWER—This clause, or sub-clause, is a very objectionable one. As every hon. gentleman knows, butter nowadays in Canada is a very expensive material. In fact, sometimes, during the past twelve months, butter has been almost worth its weight in silver, and the result is that poor people have not been able to use butter, simply because they have not been able to pay for it. Oleomargarine and butterine are substitutes for butter, and while, of course, they are not as good as the real thing, they do make fairly good substitutes. People who cannot afford to pay forty cents a pound for New Zealand butter are glad to have oleomargarine or butterine for less than half the money. This legislation is altogether unusual and exceptional. In England there is no prohibition of the sale of oleomargarine or butterine. As long as there is no attempt to defraud or mislead, there is no reason on earth, that I can see, why this article should not be sold. If people choose, with their eyes open, to buy this article, knowing just what they are getting, I know of no reason why they should not be allowed to do so. I move that paragraph A of this clause be stricken out. There is no necessity for it; the striking it out does not in any way impair the quality of the butter.

Hon. Mr. LOUGHEED—This has been the law in Canada since 1886.

Hon. Mr. POWER—That does not make it any better.

Hon. Mr. LOUGHEED—It has always been approved of by the dairy interests and commercial interests, so far as the handling of dairy products is concerned.

Hon. Mr. POWER—That goes without saying; they do not like anything in the way of public competition.

Hon. Mr. LOUGHEED—So far as the experience of the administration of the Department of Agriculture can determine, it is felt that there should be a prohibition of both the manufacture and sale of this commodity in Canada. It costs the consumer as much as butter would cost him. In Canada, before the prohibition was imposed, and since also, it has been the subject of fraud; it has almost invariably been sought to impose it upon the consuming public as butter.

Mr. SPEAKER.

Hon. Mr. DERBYSHIRE—Hear, hear.

Hon. Mr. LOUGHEED—It is in the interests of the consumer that no ground should be afforded those who desire to go into a spurious manufacture of this kind, and that they should not be able to palm off on the consuming public, as butter, a commodity which is but a spurious article, and which according to our present experience will cost quite as much as butter. If my hon. friend can show us any good reason why the public should be subjected to having this imposed upon them instead of butter, then the ground which he has taken would be tenable; but the experience of the Department of Agriculture has established this beyond question—that this product is of no advantage whatever to the consuming public, and costs quite as much, and affords one of the most prolific materials which can be supplied for the perpetration of fraud.

Hon. Mr. CLORAN—The proposition of the leader of the Government is a fair one. If the Government is going to allow fraud to be perpetrated, then the law is advisable. But why not direct your efforts against fraud? If I want to buy, at 18 or 20 or 16 cents, a pound of butterine—which to my taste is just as good as butter at 45 cents—why should the Government step in and say I cannot get it? The leader of the Government says, 'but there may be fraud.' Then let the action of the Government be directed against the fraud. I have the right to buy in the cheapest market, and I think with the senator from Halifax that the poor man should be allowed to buy in the cheapest market. If there is fraud at all in the transaction, in the selling or making of it, then it is up to the Government to provide against that fraud, but not against the manufacture and selling of it.

Hon. Mr. DERBYSHIRE—For a great many years the Dairy Associations of Ontoria and Quebec and the other provinces have taken up this matter in order to eliminate the manufacture of anything of a fraudulent character. They have endeavoured to encourage the making of nothing but a fancy quality of good butter from healthy animals, and to see that this is placed on the market in the best condition. Now this Bill does not interfere with anything that has been the law since 1886. We passed a law prohibiting the manufacture, sale or importation of butterine or any

other substitute in the shape of butter. The consequence is that we have never been bothered with this kind of thing. This Bill consolidates those Bills, and allows the milk to be manufactured into all the different articles in connection with the dairy business. We used to have milk for butter and cheese—which are the two principal articles for which milk was used—but to-day the milk goes to the cities in large quantities, and we want to have the cities understand that the animals which produce this milk are healthy, that the food that those animals consume is wholesome, and that those goods, in every possible way, are made in the very latest and best possible manner, so that nothing but wholesome substances can go to the market in Canada as Canadian goods. In that way we have established our name, and got a reputation for the finest goods that have been shipped to the old country. We have sent to the old country from Canada 87 per cent of all the cheese that is imported there. We have not been able to manufacture as much butter as has been consumed in our own country but with the West importing cows, as it is at the present time, and with the establishment of creameries in Alberta especially, the West will to able to manufacture all the butter they want for their own use; we hope in Canada in the near future to produce all the dairy products we require. We ought to do not only that, but manufacture also a large quantity for export. The only way we can do that and hold the market is to manufacture only wholesome products and stop all fraudulent processes. Last year there was an establishment in Montreal that we suppressed. It produced what they called 'process' butter. They got the rolls from the farmers, washed the butter, melted it and recast it, and it contained 40 per cent water in some cases, whereas 16 per cent of water is all that ought to be in wholesome butter. They turned that product out and marketed it the morning it was moulded. If it had been held for two or three days it would have been unfit for food. We put a stop to that kind of work, and only the genuine article is allowed to be sold. This measure is for the purpose of having our dairy products kept up to a high standard—to have the milk that is sold to the cheese factories, dairies and other institutions absolutely pure. In that way we shall make only good products in Canada and establish a good reputation, and our people will know that any dairy products they get shall be wholesome and of the best quality. This Bill is all right and should go through as it is to-day.

Hon. Mr. DANDURAND—I hope the hon. gentleman from Halifax will not insist on his amendment. I remember there was considerable discussion when this prohibition was first incorporated in the law, and it was received with almost unanimous approval throughout the country. I do not see that we have any interest in helping the manufacturer of a spurious article. The country is better without anything of the kind. My hon. friend speaks of butter being very dear at certain seasons of the year. That is true, if he refers to the best butter, but though one has to pay 40 or 45 cents per pound for the best article, he can get butter not quite so good for less.

Hon. Mr. POWER—That is something much worse than margarine.

Hon. Mr. DANDURAND—No, it is wholesome, but not equal in quality to the high-priced article. While we are not sure that margarine and other substitutes for butter are wholesome, we know that the latter is, and for the that reason I stand by the law as it is.

Hon. Mr. CLORAN—What about the poor man who cannot afford to pay 45 cents a pound for his butter?

Hon. Mr. DANDURAND—He can get an article that is wholesome, though not quite as fine in quality, for 25 cents a pound.

Hon. Mr. POWER—I gather the impression that the hon. gentleman from Brockville (Hon. Mr. Derbyshire) must have been consulted by the minister from the enthusiastic way in which he supports this measure. The hon. gentleman left two or three facts out of sight. In 1886 we were building up an export trade in butter and cheese, and it was very desirable that the reputation of our products, not only butter and cheese, should stand as high as possible. Nowadays Canada does not export butter; Canada imports butter, and the hon. gentleman in setting his face against the manufacture or importation of perfectly harmless articles, which do not pretend to be what they are not, is really helping out the farmers of New Zealand and Australia. The Canadian farmer does not need to be protected against these things now. If he needs any protection, I should say it would be against the butter from New Zealand and

Australia. The law is an improper infringement upon the liberty of the subject. If I choose to buy oleomargarine or butterine, I do not see why I should not be allowed to do so. I do it with my eyes open. In England the sale of these products is permitted, but there are penalties for representing them to be anything but what they are. I think this clause is a highly objectionable enactment.

Hon. Mr. DERBYSHIRE—If my hon. friend were down in Chicago, where the cholera hogs have been brought in and boiled up and made into butterine and sold for eighteen cents, I think he would be satisfied with the law, because the product so obtained is not a wholesome thing. These blessed things do not die; they are not killed, but they kind of peter out, and are then melted up and made into butter, and sold as oleomargarine. We do not want that kind of stuff made in Canada, and do not want any one to sell it. If I had my way we would never allow manufacturers in Canada to boil up hogs that die of cholera, and every other blessed thing that dies. We should stay by the good sound article in Canada, and not permit such mixtures as they have in the United States, and so spoil our reputation.

Hon. Mr. WATSON—I am not speaking in defence of oleomargarine as a substitute for butter, but we should not allow a statement of that kind to go unchallenged. I cannot, for a moment, imagine that the people of the United States allow any article to be manufactured out of the substance the hon. gentleman describes. There is some protection against that in the States, as well as in Canada, and if any article of that description is made as a substitute for butter it is not made out of hogs that die of cholera. I do not think that statement should be made in the House.

The amendment was dropped and the subclause was adopted.

On subclause (C) of clause 5:

(c) melt, clarify, refine, rechurn, or otherwise treat butter to produce what is generally known as 'process' or 'renovated' butter, nor add any milk or cream to butter.

Hon. Mr. WATSON—I should like to know if it would interfere with the merchant who washes butter and works it over. I have seen them renovate butter in stores—they mix it up and wash it. Is that illegal under this Act?

Hon. Mr. POWER.

Hon. Mr. LOUGHEED—The clause is to prevent the remaking of what is practically deteriorated butter; the taking, for instance, of old butter or of stale butter, and making it over again—any butter that is deleterious, which has practically gone bad. The enforcement of that will depend largely upon whatever regulations may be adopted by way of inspection or otherwise.

Hon. Mr. WATSON—This subclause does not refer to stale butter or anything of the kind; it simply says renovated butter. I should consider butter renovated would be butter that was washed and worked over, and put in different packages.

Hon. Mr. BEIQUE—I would suggest that the meaning of the words 'process' and 'renovated' be defined. As the section stands, it is going too far.

Hon. Mr. MURPHY—Those words are defined in subclause K of clause 1 which reads as follows:

(k) 'renovated butter' or 'process butter' means any butter which has been melted, clarified, refined or rechurned.

That covers it and does away with the repacking and so on.

Hon. Mr. BEIQUE—It is quite true those words are there but they go too far, they are too wide. I suggest that that should be changed.

Hon. Mr. CLORAN—This Bill affects the poor man more than the rich. We are all rich here, and can pay forty-five and fifty cents a pound for butter, and get all the flavour and all the milk, but we are only a few, and there are thousands who are not able to pay forty-five, fifty or even thirty cents a pound for butter. What objection can the Government of Canada have to these people taking what they consider sufficient for themselves at eighteen or twenty cents a pound. It is up to them to pay eighteen cents a pound for butter, oleomargarine or any old margarine they want. Give the poor man a chance to get something. If you are going to force them in this way, and there is no butter on the market at less than forty-five or fifty cents a pound, where will the poor people land? They want a substitute; they want something they can buy. A man earning a dollar or a dollar and a half a day cannot go out and buy a pound of butter at forty-five cents—with ten or twelve children in the house.

Give him a chance to buy something else, and if there is any law to be passed against the oleomargarine or butterine, it should be by the Health Department. As long as the man finds the butter suits his purse, let him have it; this Bill is drafted so as to prevent the poor man getting a substitute for first-class butter. We are legislating against the interest of the poor man who is unable to buy anything else. I am not opposed to putting forty-five or fifty cent butter on the table—by no means.

Hon. Mr. DERBYSHIRE—You should be willing to put wholesome stuff on the table.

Hon. Mr. CLORAN—Yes, and oleomargarine is just as wholesome as anything else.

Hon. Mr. DERBYSHIRE—Not a bit of it.

Hon. Mr. CLORAN—The men who are paying for it are the best judges. I am sorry that the hon. member from Halifax did not insist upon his amendment. It is in the interest of the people. It is all very fine and very easy to legislate here for the wealthy, but we have others to look after, and I do not see that any harm can come from the manufacture of goods put on the market and subject to health inspection. I do not see why Parliament should rule against it.

Hon. Mr. LOUGHEED—This is practically the law as it stands to-day. It is not a new enactment. The Act of 1903 was passed on the ground that renovated butter, or process butter, which is well known to the trade, is an undersirable product, and if it were permitted it would encourage the production of a low grade of butter. The Act has worked satisfactorily since that time, and except it can be shown through experience that it has not been in the public interest, it would not be desirable to change it.

Hon. Mr. WATSON—Will the hon. gentleman tell me if under this clause a merchant who is taking in ordinary butter from the farmers indiscriminately, and works the butter over again, would be liable?

Hon. Mr. LOUGHEED—My hon. friend will readily perceive that he could not improve the condition of this class of butter by working it over again.

Hon. Mr. CLORAN—Oh yes he can.

Hon. Mr. WATSON—I understand enough about the butter business myself to know that sometimes butter contains too much water or buttermilk, and is improved by being worked over.

Hon. Mr. LOUGHEED—That is provided for in another section.

Hon. Mr. WATSON—If working it over will improve the quality of the butter, why should any one be liable for doing so?

Hon. Mr. MURPHY—I think the definition of renovated butter or process butter is perfectly plain in subclause (k) of clause 3. It does not speak against working butter that is taken in indiscriminately. In our own province I know that butter is taken in indiscriminately and put away in barrels and later on is taken out and repacked; but that does not come within this clause. In repacking there is neither melting, clarifying, refining nor rechurning. It is only resalting, and perhaps a little pickling added.

Hon. Mr. LOUGHEED—I have inquired from Mr. Ruddick, who is in charge of this department, and find that what my hon. friend proposes is not prohibited under the Act. My hon. friend will observe it only extends to process or renovated butter, that is, butter which is already prohibited under the Act, at least which comes under subclause (k) of clause 3.

Hon. Mr. TALBOT—I think that subsection (c) of section 5 may in certain instances cause great injustice where settlers live many miles from any railway station or important towns where a large consumption of butter takes place. It was my misfortune to be located at one time in one of those places, and settlers brought in to the small village stores butter which had not been made under the best methods, and in those stores we found butter of as many different colours and flavours and odours as there were makers of the butter. I remember that the merchants at that store were compelled to rechurn the butter and remix it, and I thought it was right that they should be able to do that, else they would not have been able to sell it; but by this subclause they would be prevented from doing anything of the kind, and therefore I would like it to be considered very carefully before it is passed.

Hon. Mr. DERBYSHIRE—The more they disturb butter the worse it will be.

The clause was adopted.

On clause 14:

Hon. Mr. BOSTOCK—Can the hon. leader of the Government tell us how many inspectors there are at the present time?

Hon. Mr. LOUGHEED—Four.

Hon. Mr. BOSTOCK—How are they located?

Hon. Mr. LOUGHEED—I would say to my hon. friend that there is a chief inspector, then there is an inspector in Quebec, one in Ontario, one acting in the Prairie provinces, and one who combines the inspection of fruit and dairy products in British Columbia.

The clause was adopted.

Hon. Mr. BELCOURT, from the committee, reported the Bill without amendment.

CONTINGENT ACCOUNTS OF THE SENATE.

MOTION.

The Order of the Day being called.

Consideration of the third report of the Standing Committee on the Internal Economy and Contingent Accounts of the Senate.

Hon. Mr. POWER—In the absence of the chairman of the committee, I move that the report be concurred in. It is simply a report on the accounts. There were cheques issued during the past year four $248,486, and there is to the credit of the Receiver General, $12,275. The total receipts were $258,595. The committee report that they examined the accounts and found the statements therein correct.

The motion was agreed to.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

Wednesday, May 13, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

FRENCH TRANSLATION OF REPORT OF GEOGRAPHICAL BOARD OF CANADA.

INQUIRY.

Hon. Mr. CHOQUETTE inquired:

1. The Geographical Board of Canada having published its twelfth report in English, does the Government intend to have the French translation thereof published? And on what date?

Hon. Mr. LOUGHEED—No arrangements have been made for having this report translated into French, and printed as yet, but the matter is under consideration by the Government.

SUPERANNUATION OF JUDGES OF SUPERIOR COURTS.

ENQUIRY.

Hon. Mr. POWER rose to

Call attention to the unsatisfactory condition of the law respecting the superannuation of judges of Superior Courts, particularly as set forth in section 20 of the Judges' Act (R.S.C. 138), and to ask if the Government propose to have such law amended.

Hon. Mr. POWER—The matter of which I have given notice is one of some consequence; and it may be desirable to state the position of things, for the information of hon. gentlemen who have not much to do with our courts or judges. This question deals with the superannuation of judges of the Superior Courts. For a good many years it had been felt that the administration of justice in Canada suffered because a number of judges continued on the Bench after they had ceased to be able to render the country full value for the salaries they received. There were judges who were deaf; there were judges who were blind; and there were judges who were afflicted with senile debility; yet they remained on the Bench because there was no way of getting them off the Bench. The law, as it existed previously to 1903, provided that when a judge had been on the Bench for fifteen years, he might be, with the consent of the Government, retired on a pension of two-thirds of the salary which he was receiving at the time of his retirement. It was found that a number of judges, who should in all propriety have retired, remained on the Bench, taking the ground, as I was informed at the time, that they could not afford to retire on two-thirds of their salaries. I do not propose to go into the question as to the validity of the ground the judges took, except to say that as a general thing a man is pretty well on in life when he is appointed to the Bench. After having served on the Bench for fifteen years, he is well down the hill of life—getting towards the setting sun—his family are grown up, and so the calls on his funds are not as great as at an earlier stage of his life. However, the Government in power in 1903, undertook to deal with this question. There was no serious

difficulty with respect to the county court judges, because this Parliament had the right to deal with the retirement of county court judges; as to the judges of the Superior Court it was otherwise. These judges had a fixity of tenure, and could not be disturbed, unless there was an address to the Crown from both Houses of Parliament, a thing which never could be got, practically. Something had to be done in order to remove from the Bench some of the judges who were incompetent from the reasons which I have mentioned. If the House will allow me I shall read the section of the Act of 1903 to which I refer. Section 20 of the Judges' Act, chapter 138, of the Revised Statutes of Canada, reads as follows:

'If any judge of the Supreme Court of Canada, or of the Exchequer Court of Canada or of any Superior Court in Canada resigns his office, His Majesty may, by Letters Patent under the Great Seal of Canada, reciting such judge's age and period of service grant him an annuity equal to the salary of the office held by him at the time of his resignation, to commence immediately after his resignation, and to continue thenceforth during his natural life, if such judge has—

(a) Attained the age of 75 years, and continued in office as judge of one or more of the said courts, for twenty years and upwards, or,

(b) Attained the age of 70 years, and continued in office as judge of one or more of the said courts for twenty-five years or upwards, or,

(c) Continued in office as judge of one or more of the said courts for thirty years or upwards.'

Hon. gentlemen will notice that these judges under the conditions mentioned are to be retired on full pay. That is a proceeding which is probably not to be found anywhere else in the British Empire. The idea of retiring these old gentlemen on full pay is one that does not seem to have occurred to the Government of the mother country, or of any of the colonies. The immediate effect of the change was that a certain number—not more than about half a dozen judges—retired almost immediately after the passing of this Act. Those gentlemen felt that, as they were to receive full pay, they could afford to retire. But when one comes to look at the permanent effect of the Act, instead of having the effect that it was intended to have, which was to induce judges to retire before they have become unfitted for the discharge of their duties, in practice it has had just the reverse effect. Under the old system, when a judge had served for fifteen years, and had become entitled to retire on a pension of two-thirds of his salary, as a rule he did so retire; now he does not. When a judge has served for fifteen years and is entitled to be retired on two-thirds of his salary—it really does not seem to matter how incompetent he may be for the discharge of his duty—the average judge does not think of retiring then; he proposes to wait until, under the provisions of the Act of 1903, he can retire on full pay. The result is that we have a number of judges in various parts of the country who are now sitting and drawing their full pay because they are waiting until the time when they can retire and draw full pay. There are two objections to the operation of this system; one is that it keeps a gentleman on the Bench who should be off the Bench; it also means the country is paying two salaries—the full salary of a judge who is on the Bench doing the work, and the same salary to the judge who has retired and is doing nothing. In the province from which I come, we had at one time no less than three chief justices drawing salary; we had one gentleman who had retired under the old system and was drawing a pension of two-thirds of his salary; we had another gentleman who had retired under the Act of 1903 and who was drawing his full salary; and we had the third gentleman who was acting, and of course drawing his full salary. It must be clear that a system which is open to such abuses as that, is one that should not be continued, and it seems to me that it is the duty of the Government, which is charged, amongst other things, to see that justice is duly administered, and also to see that the funds of the country are not unnecessarily expended, to take some steps to put an end to this condition of things. The system of retiring judges on full pay is not only un-English, but it is most objectionable in every way. The better plan would be simply to repeal the section that I have read, and one or two others, and go back to the old system; or —as the Government are at present proposing, I understand, to deal with the question of superannuation—the retiring allowances of judges might be assimilated more closely to the provisions regarding the retiring of other civil servants. The hon. gentleman from Middleton (Hon. Mr. Ross) has made a suggestion to me in which I cordially concur, and that is that some provision might very properly be made for the widows and children, if any, of the judges who die before or after being retired. This is done, or will be done, I understand, in the case of other civil servants. I do not think it is necessary to labour the case any further;

it is a perfectly clear case. I trust that the Government will undertake to deal with this question at an early day—not necessarily this session. This is a question which can be discussed by every member of the House. I have called attention to it, and the question can be answered later on by the hon. leader of the House.

Hon. Mr. ROSS (Middleton)—This is a part of what is a much larger question than the mere question of superannuation of judges. I entirely agree with the remarks of the hon. member from Halifax (Hon. Mr. Power) that the retiring of judges on full salary is objectionable. The fact of the matter is that the whole question of salaries and retiring allowances has been dealt with in a sort of peacemeal way. The time has come when there ought to be something like an attempt to deal with the salaries and retiring allowances of judges on some principle different from what the legislature has acted upon in the past. Hon. gentlemen will remember that some few years ago there was an increase in the indemnity of members of Parliament, and a retiring allowance was granted ex-cabinet ministers. The most objectionable feature of that transaction was that it was not done openly and above-board. The arrangement was made with closed doors, and was not discussed in Parliament or in the country, with the result that too much was given to some of the judges by the way of salaries and too little to others. The time has come when the whole question of salaries and retiring allowances to judges should be dealt with. For instance, the county court judges who live in county towns get too high salaries, and judges in cities, superior court judges particularly, have salaries so small that it is impossible to secure the best men. I do not think that you can arrive at any fair or just settlement of these salaries and allowances, without a comparison of what the earnings of other people than these, such as members of Parliament and the whole Civil Service are. I venture to say that if you take the county court judge who is paid $3,000 and then has a retiring allowance made to him, you will find he is better off than nine-tenths of the men that live in the county towns all over the Dominion.

Hon. Mr. MURPHY—He may be a better man.

Hon. Mr. ROSS (Middleton)—Not often.

Hon. Mr. MURPHY—He ought to be.

Hon. Mr. POWER.

Hon. Mr. ROSS (Middleton)—Coming to the cities, if you are to get the best men, you have to pay larger salaries. Looking over the changes that have been made in the salaries of judges, I believe the increase to the county court judges was too large, but they were not large enough to judges of the Superior Court who have to live in cities, where expenses of living are very much more than in the town. Then, when you come to deal with the question of the retiring allowances, you give, for instance, the Chief Justice his full salary. He may not live a year after he retires, and when he dies he leaves his widow and children entirely unprovided for. The same thing applies where a judge has been retired on two-thirds of his salary. It would be far better to reduce the amount that is paid to a judge as a retiring allowance during his lifetime, and have some of it go to his widow during her life, or to his children until they come to the age of say 18 or 20. We had, as the hon. member from Halifax has told us, at one time three chief justices in Nova Scotia, two of them on retiring allowances—one of them getting the entire $7,000 salary. I thought they were both drawing full salaries; certainly one of them was; then there was the acting Chief Justice. I would suggest that the Government should simply repeal all the existing laws on the subject and begin de novo, and try and fix the salaries of the judges, basing them on what they find to be the salaries of professional men—ministers, doctors and practising lawyers—in towns and in the country. Probably information could be got too that would bear upon that subject by inquiring into what the normal expenditure of the better class of people in county towns and in cities is. I do not think any man has a right to ask to be placed on the Bench, or placed in any public office, with a view of accumulating a fortune. A judge does very well if he receives as a salary the equivalent of the annual earnings of a man who is doing well at the Bar. Besides that salary, which ought to be fairly satisfactory, he has the advantage of knowing that if anything happens to him he has a pension to fall back on. It would also be to his advantage if the change, which I think ought to be made, were made, of an allowance being given to his wife or family. At the same time, when this is being done, there is another subject which is kindred to it, and that is the case of ex-Cabinet ministers. That is one of the least objectionable

things that there was in the legislation that I referred to. That was passed a few years ago, and I am very sorry to see that that Act was repealed; I would be very glad to see it placed on the statute book again. I should like the Government to consider at the same time, the question of whether a man who serves in the House of Commons for ten or fifteen years, who ruins his business, and also in some cases grows old in the service of the country, is not as much entitled to some consideration from the people of this country, as the men who go upon the Bench or into the civil service and draw good, fat salaries. I do not think it would be an undue charge upon the public revenue, and I would welcome a consideration of that question, and would like to see some provision in the way of a pension provided for men who have served ten or fifteen years in the House of Commons. Of course that does not apply to the Senate, because when we come here we get our pension. I am glad the hon. gentleman from Halifax brought this matter up, and I would like to hear it discussed by other members of the House.

Hon. Mr. CHOQUETTE—There are some statements which have been made in this debate of which I disapprove, and I say that the law now on the statute book is absolutely correct; it would be hard for the Government to improve it. The best thing to protect a judge against anything that may happen on the Bench is the fact that he is sure of a pension in case of sickness or old age. I wish to disapprove of one statement made by the hon. gentleman from Halifax. He stated that all over the country there were judges, who under the old law would have to withdraw from the Bench on two-thirds of their salaries. It was said that some of these men though sick, or incompetent on account of sickness, remain on the Bench, and are waiting until the twenty-five years is up, to entitle them to their full salary. As far as the province of Quebec is concerned, there is not one judge there who would come under that category. If the hon. member speaks for his own or for any other province, that is his own affair; but I wish to emphasize strongly that that statement does not apply to Quebec. Our judges would not wait for a bigger salary, if they were not physically able to do the work. One of the most prominent judges in Quebec became ill—he was not very sick, but he felt he could not fulfil his duty as well as when he was a young man—and he withdrew, and sent in his resignation, and was retired on two-thirds of his salary, and he is not the only man who has done that. I wish to repudiate the statement of the hon. gentleman—made in perfect good faith, of course, as applying to the whole Dominion—but I wish to exempt Quebec, because I do not think there is, at the moment, one judge who, if he became sick, would wait one minute longer in order to obtain his full salary as a retiring allowance. As the law now stands, a judge must be seventy-five years of age and have been twenty years on the Bench in order to get the full retiring allowance, or he must be seventy years of age and have been twenty-five years on the Bench, or he must have been at least thirty years on the Bench, in order to get his full pension. When a man has been so long on the Bench as that, he is entitled to a pension; and the idea, when they were younger, that after having been so long they would get full pay is an inducement to them to do their duty better and to take better care of themselves. From this point of view this law is a good one, and I do not see how it could be amended except by adding some more, which I do not think is necessary. The Government cannot really reduce the pension except, as the hon. gentleman who has just sat down suggested, that it might perhaps reduce the amount by a few thousand dollars, and grant it after death to the widow of the judge. A man on his full pension, when he is old, saves from his pension for his family. I speak of this in all sincerity because I have myself been on the Bench for nearly seven years, and I did not wait to get a pension but retired because I felt the pay was not sufficient to maintain a family in a position fitting that office, especially when a judge is young and has a large family. I therefore, think the law as it stands is very good, and I do not see how the Government can change it.

Hon. Mr. CLORAN—Might there not be an addition to the law concerning retired judges, especially those on very large salaries? They receive a large amount of money annually as a pension; they retire and start afresh in life again, either as consulting attorneys or as consulting politicians, or as active party men, with a view of promoting their own political and party interests—which is proper, I believe. But that condition of things ought not to exist. We have had illustrations of judges high up in

the courts of this country, retiring in the heyday of life, full of vigour, and drawing very large salaries, and then entering the field of politics and competing with other men who are drawing nothing from the Government. That is unfair competition. If a judge retires and receives a retiring allowance let him do so; if he wants to enter into private practice let him do so; but he should not in such case look to the Government of the country for further support or further sums. I do not think that is proper. If a judge wants to withdraw from the Bench and feels that he is able to go back to his law practice, notwithstanding that he has passed fifteen or twenty years on the Bench, that is his own lookout. Here is a man who was appointed to the Bench at from thirty-five to thirty-seven years of age, and after fifteen years retires; at fifty-five to sixty years of age he is at full bloom, and can go to work and compete with all the other members of the Bar while drawing a heavy salary from the Government. These are matters that would demand attention from the proper authorities when this law is dealt with. I am not asking for anything that would prevent a judge from doing what he would have a perfect right to do, but I do not think the Government should help him at both ends of the stick.

Hon. Mr. DANDURAND—I rise to suggest that it would perhaps be unwise to alter the present condition of things, which has prevailed but for a limited number of years. It seems to me that some longer time should be given to afford a trial to the present system. The law was amended in 1903 because there was no authority that could dictate to a judge, who had weakened in health or mental faculties, the date at which he should take his pension. The law was amended in order to induce the judges who, under the constitution, could remain in the active discharge or supposed active discharge of their duties and could only be retired by an address from both Houses, to ask leave to withdraw when they reached a certain age. Now, conditions vary so much in this country and so rapidly that it is difficult to pass judgment on the operation of such an Act if it is not given a fairly long trial. Up to ten years ago judges remained on the Bench much longer than fifteen years—they remained until they felt that their health was failing. I have seen judges on the Bench, a majority of them in Montreal, who had passed seventy—but conditions have altered greatly of late years. Lawyers had been appointed to the Superior Court Bench on a salary of $5,000, and were quite satisfied to accept a judgeship at that figure. But within the last five or ten years there came a great transformation in the country. Lawyers of fair standing have doubled and trebled their incomes, the cost of living has increased fifty per cent, and there has been a tendency on the part of judges, after completing their fifteen years, to ask for their pension in order that they might better their condition and meet their obligations. I feel that we should give the present law a longer trial and in the course of the next fifteen or twenty years Parliament may be in a better position to investigate the conditions affecting the judges throughout the land and decide whether the Pension Act should be modified in one sense or another.

Hon. Mr. LOUGHEED—The discussion has been an interesting one. The subject is many-sided; I fancy very few questions have occasioned a greater difference of opinion in Parliament than the question of retiring allowances or superannuations. The question of superannuation of civil servants, as hon. gentlemen know, is now before the Government. As to this question of the retiring allowances to judges, it is not the intention of the Government, at the present session, to disturb the existing condition of things. As to what may be done in the future it is impossible to say.

RAILWAY STATION AT QUEBEC.

MOTION.

Hon. Mr. CASGRAIN moved:

That an order of the Senate do issue for the production of the corespondence and all docuemnts in connection with the building of a railway station on a site of the Champlain market in Quebec since September, 1911.

He said: It may be within the recollection of members of this House that about September, 1911, a contract was given for the construction of a railway station on the site of the Champlain market, in the city of Quebec. The property had been acquired from the city of Quebec some time before, after considerable negotiation. It was agreed to purchase the site for $100,000. At that time it was covered by the Champlain market, a very large stone building; the building was demolished in order to make room for the railway station. Although many who share my views in politics thought it was a good place for a

station, I always thought otherwise. In fact I had occasion to deliver an address in Quebec, before the Canadian Club, in which I endeavoured to show that there was not room enough for a station on the site selected. The cliff at this point comes to within two or three hundred feet of deep water, and in my opinion, and in the opinion of many others, it is not a good place for a railway station. However, to my great surprise, I find that after this contract had been cancelled in September, 1911, and the site apparently abandoned, the papers of Quebec now announce (and that is why I am asking for the correspondence), that the station will be erected there. The contract had been given to a man named Gosselin; later it was cancelled because it was thought that the place was not suitable for a station. Now we are told that new plans have been made, and the station will be erected on the site formerly abandoned. It would have been much better to have allowed the contractor to go on with his work, if the site is considered suitable. If the work had not been stopped the station would have been completed by this time. It is said that a small station will be constructed there, and that there will be a grand union station where the Canadian Pacific Railway station stands to-day. A union station at that point would be a very good thing, but the leave and permission of the Canadian Pacific railway, who own all the available real estate on the other side of the cliff where the other station is, would be needed for this. Any one who is familiar with Quebec knows that there is a narrow strip of land on the St. Lawrence side, and a larger one on the banks of the St. Charles river, on the other side of the city, and all that available land is held by the Canadian Pacific railway. It is proposed that the union station shall be erected there. Whether it will be erected by this Government, or by the Transcontinental railway, or by the Canadian Pacific railway, seems to be a conundrum. Last year a grand banquet was given the Premier of this country and his colleague, the Postmaster General, and promises galore were then made that the city of Quebec would see, before the snow was off the ground, a large number of men employed in building a union station, and making yardage and provision for the Transcontinental railway from Quebec to Winnipeg. The Transcontinental from Quebec to Winnipeg had been completed at last—during the month of December, 1913. One can travel now over the rails from Quebec to Winnipeg. Every provision is made for the traffic to be completely opened in the near future, for only a little ballasting is now required. Changes have been made in the grade in order to save some $161,000—and consequently giving an excuse to the Grand Trunk Pacific to refuse to take over the road—but notwithstanding all that, the road can be operated, especially in summer, when the momentum grades can be worked. For the information of those who are not familiar with these, I might explain that with the momentum grades the trains run with great velocity down one side of the hill, and trust to that velocity to bring them up the other side. That is the kind of road that has been built on the part which was not absolutely completed until recently, and the effect of that is to obtain a sort of scenic railway with these momentum grades. On an enterprise costing one hundred and sixty million dollars, the country has saved the large sum of $161,000. When this road is now open, there is absolutely no provision made for receiving a large train. An ordinary sized train of forty cars would find no place to locate. There are no sidings on which a car can be shunted. An elevator has been built by the Harbour Commission of Quebec, but we must remember that while it was nominally built by the Harbour Commission of Quebec, it is in reality built by the taxpayers of this country. There is a great difference between lending money to the Harbour Commission of Quebec, and advancing money to the Harbour Commission of Montreal, the latter of which has paid the interest on every cent to date; it has never cost the Government a cent for any improvement in that harbour, whilst in the city of Quebec I do not know—and I am subject to correction—that the interest has ever been paid on any amount loaned to the harbour of Quebec. I know that Quebec will be a national port, and I have no objection to spending money on developing it, but I wish to emphasize the fact that this Government has a right to direct the expenditure. An elevator was built at great expense on the wharf. How much water is in front of that elevator for ships to come in? My information is there is practically no water at low tide in front of the elevator.

An hon. GENTLEMAN—Oh, yes.

Hon. Mr. CASGRAIN—Well, I hope there is, but I know there is not very much, and there is no siding to accommodate a large

train approaching that elevator. Until such improvements are made not one bushel of grain can be put in that elevator, unless it is carried in on somebody's back. In the summer of 1912 not a single thing had been done—not a spade or pick has been put to the earth. The year 1913 came, and nothing was done; I speak feelingly in this matter. The year 1913 went and nothing was done, and we are now getting back to where we were in 1911—a railway station is to be erected at the old site. That is the reason I am moving this motion, and I would like to know, when the papers come down, what the policy of the Government is concerning Quebec.

Hon. Mr. CHOQUETTE—I am glad the hon. gentleman from De Lanaudière (Hon. Mr. Casgrain) asked for these papers, and we will know if it is true that there has been a big fight between the Postmaster General and Major Leonard, the commissioner of the National Transcontinental railway. We have read in the Quebec papers lately—good Tory papers like L'Evenment, the organ of the Postmaster General—that Major Leonard was the guilty party, that nothing has been done in Quebec about building a station and other works in Quebec which were under the commission's jurisdiction. I have read in the paper that they are going to build a small station on a place called Champlain market. I have been opposed, and have been fighting, with my friends in Quebec, against the building of a union station at the Champlain market. I said at the time that it was a mistake to build a union station at that place, but I have always been in favour of building a little passenger station, like the station at Mile End or Westmount. Such a small station could take passengers stopping there below the Chateau Frontenac and passengers from Upper Town proceeding to Montreal and elsewhere. A nice little station there would be convenient, but as to building a union station I felt it was impossible, because there was no ground and no accommodation whatever. If all the promises about the big one or two million dollar station to be built at La Palais have not been fulfilled so far; as I said a moment ago, all the fault has been put on Major Leonard. I know Major Leonard is not a very polite man; I know the Board of Trade of Quebec wrote him letters, asking for plain information, and he answered in the most impudent way, so that the members of the Board of Trade, who are good friends of the Government, have been obliged to write back to the Government complaining of the way Major Leonard answers them—giving them no information. Some time ago they asked him about this station, and he answered 'The work will begin when the plan will be ready.' That answer was actually sent to the Board of Trade at Quebec. I congratulate the organ L'Evenment on having put Major Leonard in his place, and I hope all the promises made by the Government in Quebec in the past three years will be fulfilled. If Major Leonard is preventing the works being constructed, I hope he will be brought to his senses, and that the union station and the other station on Champlain market will be begun, as well as all the other public works which have been promised by the Government. It is quite true, as my hon. friend from De Lanaudière (Hon. Mr. Casgrain) has stated, that a contract was given by the late Government to one, Mr. Gosselin, and when this Government came into power they cancelled the contract, and paid some money to Mr. Gosselin to prevent him from finishing the contract, and lately they gave the contract for the work to some one else. Mr. Gosselin is a first class man and has ability to finish the work, and I hope that the Government will tell him to go on with the work and finish it as soon as possible. It is in the interest, not only of Quebec but of the whole country, because when the Transcontinental is running into Quebec, and when the dry-docks are finished there; when all the great public works that have been promised are finished, the work will be not for the interest of Quebec alone, but for the rest of the country, as everything entering Canada by way of the St. Lawrence will have to come first to Quebec.

The motion was agreed to.

BILLS INTRODUCED.

Bill (59), An Act respecting the Toronto, Niagara and Western Railway Company.—Hon. Mr. Watson.

Bill (99), An Act to amend the Adulteration Act.—Hon. Mr. Lougheed.

Bill (120), An Act to correct a clerical error in the Act, I and II George V, chap. 118, an Act respecting the National Weekly Indemnity Company, and to change its name to the Merchants and Employers National Guarantee Company.—Hon. Mr. Young.

Bill (171), An Act to amend the Customs Act.—Hon. Mr. Lougheed.

Bill (174), An Act to amend the Juvenile Delinquents Act, 1908.—Hon. Mr. Lougheed.

Bill (179), An Act to amend the Criminal Code.—Hon. Mr. Lougheed.

Bill (183), An Act to provide for the payment of a yearly allowance to Mrs. Alice Johnston, widow of the late J. H. Johnston, a guard in the British Columbia penitentiary.—Hon. Mr. Lougheed.

Bill (N-3), An Act for the relief of William E. Laurie.—Hon. Mr. Derbyshire.

Bill (O-3), An Act for the relief of Margaret Van Dusen.—Hon. Mr. Derbyshire.

UNEMPLOYMENT IN CANADA.

Hon. Mr. CASGRAIN—I would like to draw the attention of the Government to an article which has appeared in very large type in La Presse of Montreal, which, as hon. gentlemen know, has by far the largest circulation of any newspaper in Canada. La Presse is printed in French; the article is quite short, and in order that I may not be accused of exaggeration, I shall read the article in French, and then translate it into English. It is as follows:

'A very sad spectacle. Women carrying their babies mixed with the unemployed. No outcries, no murmurs, everything passed quietly. The news of the dismissal of the committee causes emotion. What is coming?

A crowd of unemployed which might easily be estimated at more than 3,000 stood all the morning on the Champ de Mars demanding work. A strong squad of police under the command of Captain Bourgeois of the Ceneral station watched them. For the first time there were in the crowd women carrying in their arms their little infants and accompanying their husbands. About ten o'clock the committee which had been sent to interview the authorities at the city hall returned and submitted their report. Mr. Saint-Martin was the first to speak. He declared that the committee, notwithstanding all their efforts had not been able to obtain from the municipal authorities a solution of the situation. He added that the committee after due consideration had come to the conclusion that there was nothing to be had and that under the circumstances its members should be discharged. This news produced great emotion. Mr. Saint-Martin declared afterwards that the unemployed were under a debt of gratitude to Mayor Mederick Martin and also to the press for their good will to come to the help of the unfortunate.'

That is in Montreal. But the unemployed are holding meetings in other cities. Here is a dispatch from Edmonton, dated the 12th inst.:

'Trouble caused by the unemployed.'

'The unemployed under the guidance of the leaders of the Society of Industrial Workers of the World caused some annoyance to the police when noisy manifestations took place yesterday and revolutionary songs were heard. A grand parade is the programme of the unemployed to-day, and delegations are going to the municipal authorities and the provincial Government, to ask for work.'

Here is another one from Calgary, taken from the Ottawa Journal, which, I believe, is a paper friendly to the Government:

Army of Unemployed from Canadian West may Invade Ottawa.

Calgary, Alberta, May 7.—Local I. W. W. leaders would have the unemployed march from Calgary across the Dominion to Ottawa to present a petition to the Premier for work, similar to the treck of Coxey's army which marched across the United States twenty years ago. The idea was brought up by speakers at an out-of-door mass meeting of the unemployed last night and was enthusiastically received.

Now, this is not a political issue; it concerns the whole country, and the Government should see that labourers are not induced to come to this country at the present time. There are already very many unemployed people in the country, yet every week two or three steamers are leaving Liverpool, Glasgow and other British ports, crowded with people who are coming to Canada because they think there is employment to be had here for labourers. The Government should see that posters are displayed in the steamship and other offices in England warning labourers against coming to Canada just now. Those posters should be in many languages, because people are coming here from various countries in Europe. They should be told that there is a scarcity of work at present in Canada, and that our cities are filled with unemployed labourers. The only people who should be induced to come to Canada at present are farmers who have enough means to establish themselves on land. On Monday a vessel landed 600 Bulgarians at Quebec. They were met on the wharves by some of the unemployed, who said to them: 'Why did you come? We are here, and have no means to go further, and cannot get work.' A Russian immigrant went to some of the authorities and asked why the Russian Consul had not warned them against coming. They were promised work in Quebec, if they would wait a little while, but many of the unemployed have no means to wait. They must get work. The Government should cable at once to their officials on the other side to visit the steamers that are about to leave, and warn people against coming to Canada until there is work for them here. The suggestion was made in Montreal recently,

that the regulations should be altered to require that immigrants entering the country should possess a larger amount of money than is called for now.

I have mentioned the conditions on the Atlantic coast; on the Pacific coast they are no better. There is a steamer now at sea with 400 Hindus whose destination is British Columbia. That steamer was chartered by wealthy Hindus in order to make a test case to find if they can be excluded from British Columbia. Every one knows that conditions are bad on the coast, that the population of Vancouver in the last two years has declined considerably, some say fifteen thousand, others twenty-five thousand. People have left Vancouver because they cannot find work, and now the Pacific coast is threatened with an influx of Hindus. At any time the people of British Columbia want a white province there, and will not admit Hindus on any terms; but at present when no work is to be had they may resist the admission of Asiatics, and the Hindus may retaliate against British subjects in India. The British population of India is only 200,000 and there are 400,000,000 people in India. It will be a very serious matter to England if India retaliates. On the other hand these Hindus are coming to Canada because they are told that they can make a great deal of money here. I have seen the Sikhs in British Columbia, strong active men, many of whom were making five and six dollars a day in the lumber mills. The situation is grave and the Government should act at once, either by restricting immigration, or publishing the fact that labourers are not wanted, at present, in Canada. There are many people stranded in Quebec who have not money to get away from the city. They are advised to go to the Northwest but even if they had the means to get West, the situation in the western provinces is no better than in the East, as I have shown by the dispatches I have quoted from Calgary and Edmonton. If these people should feel the pinch of hunger and begin to steal, or indulge in rioting, surely the Government must take some responsibility in the matter. It is a serious matter to think that steamers are to-day coming up the St. Lawrence loaded with foreign labourers, when there is no work to be had for thousands who are in the country to-day. Every day large meetings of the unemployed are held in Champ de Mars, Montreal, and speeches are made which are being translated immediately into five or six languages. I do not blame either this Government or the preceding Government for inducing the population of Europe to come to our shores, but I do hope, in the interest of the country, that the Government will see its way to prevent any more ship-loads of labourers coming out to this country to swell the armies of the unemployed.

Hon. Mr. CASGRAIN.

THIRD READINGS.

Bill (H3), an Act for the relief of Robert Markle Richardson.—Hon. Mr. Derbyshire.

Bill (J3), an Act for the relief of George Andrew Crooks.—Hon. Mr. Derbyshire.

Bill (112), an Act to Regulate the Manufacture and Sale of Dairy Products and to Prohibit the Manufacture or Sale of Butter Substitutes.—Hon. Mr. Lougheed.

SECRET COMMISSIONS ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (F3), "An Act to amend the Secret Commission Act."

In the Committee.

On clause 3 paragraph A.

Hon. Mr. DAVID—Before this paragraph is adopted, although I am in favour of the Bill, I should like to ask the hon. member from Prince Albert (Hon. Mr. Davis) and the hon. members of this House whether it would not be proper to make a discrimination between the employer and employee as to the penalty. The clause makes no such discrimination, the penalty is not to exceed $100, but an employee may be sent to jail if unable to pay the fine. Under the clause a poor little boy or a poor servant in a hotel receiving perhaps only ten dollars a month wages, if called to render special service to a sick person, will be exposed to a fine of twenty-five, fifty or even a hundred dollars if he or she accepts compensation for that special service. Does not the hon. member from Prince Albert think there should be a distinction between the penalty for such servant, and that for the employer? Perhaps the question might be settled, if thought proper, by applying the law, for the present only, to the employer and consequently striking out clause 8. The law would still be very good, and would have an excellent effect, because if it only applied to the employer

or master of a restaurant, or manager of a railway, such employer would be obliged to notify his servants that no tips would be allowed and that any servant who accepted tips would be discharged. Probably that would be sufficient, but if the hon. member did not think it proper to erase that clause, it might perhaps be amended, as I have suggested, in order to make a distinction between the employer and the poor servant. Perhaps other hon. members of this House will do as was suggested by the hon. member for Middleton (Hon. Mr. Ross) the other day, and if it is thought proper, keep the law in this respect as it is, and apply it only to employees or servants in public establishments, or on railways or vessels. I am not ready to suggest the amendment as it should be worded. I give only the idea and it would be very easy to draft the amendment. The hon. gentleman from Middleton (Hon. Mr. Ross) made the remark that it would be difficult to apply this clause to employees in private houses or places which are not public establishments. I shall listen to the discussion before I propose an amendment.

Hon. Mr. DAVIS—I am not a lawyer and speak subject to correction; but I am under the impression that, in a matter of this kind, the fine is in the discretion of the magistrate or the judge. He might fine the small boy, in the case referred to, twenty-five cents. The maximum fine is $100: they cannot exceed that. I find that this Bill is received with favour, not only by the travelling public, but the people who are being employed. The other night in Winnipeg the Trades and Labour Council passed a resolution approving of this Bill. The resolution was moved by Mr. Smith, who is the business agent of the cooks and waiters organization or union in Winnipeg, and he gave as a reason that they wanted to be put on a salary basis, and not be living on charity. I have a letter from the waiters' organization in Montreal to the same effect. They approve of the Bill; they say the time has come when they should have a living wage, and not be dependent on the charity of anybody, and they say it has not a tendency to uplift anybody by making mendicants of them.

Hon. Mr. ROSS (Middleton)—Would it not be better to make this clause read 'To a fine not exceeding $100, or to imprisonment not exceeding two months.'

Hon. Mr. DAVIS—That would be better.

Hon. Mr. CHOQUETTE—From what I have heard in the hotels and public places regarding this Bill, I have come to the conclusion it would be very hard to enforce it, although the principle may be good. Some waiters are pleased with the Bill. They say, and very correctly, 'When the Bill is passed, we will get a good salary from our employers, but we will get the tips all the same.' You go to a hotel and you have a good waiter. You give him a quarter to serve you quickly. Even with this Bill in force you could not prevent the tipping, except in the case of some people who, probably, do not give a tip now. Therefore, the Bill is impracticable. Further, without the tipping it is almost impossible to travel. We all know the organization they have in the old country about tipping. They have an organization with officers, and it is understood that before the baggage leaves the hotel there is a special mark put on it which the public do not see, unless attention is called to it, and when a trunk arrives at the next hotel, the head waiter knows if the man gives tips or not; and if he does not give tips, his trunks are left in the corridor, and he is not attended to.

Hon. Mr. POWER—That is a strong argument in favour of the Bill.

Hon. Mr. CHOQUETTE—I am obliged to give tips sometimes, and I give them if I am well served; if I am not well served I do not give them. If four or five of us together are well served we make a little pot and give it to the waiter. The principle of the Bill may be very good. We will have to protect ourselves some way. We can say 'I don't give tips because the law forbids it.' There is a certain class of employees which is not covered by this Bill. Take the girl who checks the hats at the entrance to the dining room, she is not paid a cent of salary, and she would be willing to pay something to be placed there. Under this Bill she is at liberty to receive tips, because the employer does not pay her. The employer does not pay the little girl or boy to take your hat, and therefore, if this Bill becomes law, they will be at liberty to accept tips, and the employer will not be liable under the law. I would advise my hon. friend to do with this Bill as I did with mine—let it stand for the session and bring it up next year—and we will see if we cannot be well served without giving tips. The principle of the Bill

has been admitted, we have discussed it, and why not move that the committee rise? We will know more about it next year.

Hon. Mr. DAVIS—I accept the amendment proposed by the hon. gentleman from Middleton (Hon. Mr. Ross), making the clause read:

Every one is guilty of an offence liable on summary conviction to a fine not exceeding $100 or to punishment not exceeding two months, or to both.

I assume that all law-abiding citizens in this country will observe the law if it is placed on the Statute Book, more particularly a law of this kind, because they will only be too anxious to observe it. My hon. friend argues that this law cannot be enforced. We might say the same with regard to bribery at elections, and other laws. We cannot make laws that will be universally observed; somebody will always break the law, but ninety per cent of the people will observe the law, and you will find the employees, as soon as this Bill becomes law, will take action themselves. With reference to the girl in the cloak room, if she is there she is an employee of the party who runs the hotel, otherwise she could not be there

Hon. Mr. CHOQUETTE—She is not paid.

Hon. Mr. DAVIS—That does not make any difference. They will pay her; they will have to pay her. What do they allow her there for anyhow—to rob the public? The argument put up by my hon. friend about placing signs on the baggage is a strong argument for this Bill. I noticed in the Ottawa Free Press of Saturday last, that the reporters of that paper interviewed some people with reference to this Bill, who are supposed to be opposed to it. In Toronto the boot-blacks say: 'When a man comes in who we know gives a tip, we make a little extra effort to give the man a good shine. But when a man comes in whom we remember as not giving a tip, we give him only a light shine. We do it roughly.' And this, although the rules of the shop announce that the price of the shine is ten cents. Everybody should be treated alike. The effect of this law will be that people cannot gather together and bribe the waiter with a dollar to render a service that he will not render to somebody else, for that would be bribery under the law. That practice will be stopped, because they will be afraid; they will not know but that there are spotters watching them. The poor man will thus be treated fairly. Things have reached such a stage now that if a poor man cannot keep up with a rich man he is sneered at. I claim that these waiters and other employees take bribes from rich men—because it will be bribery if this Act is passed—but they will be forced to treat the poor man with better courtesy. I do not think that any Bill that has been before either House has been received so heartily as this one. I have stacks of letters from people who have been mistreated in the way I have mentioned. I have a letter here from a gentleman whom my hon. friend from Brandon knows very well, O. Fortin, D.D., Archdeacon of Winnipeg, a man in very high standing, who gives his experience of how he has been treated in travelling, and he approves strongly of the Bill. I have letters here from all parts of Canada. Every newspaper in Canada, except the Montreal Gazette, has approved of the principle of the Bill. They say we cannot enforce it, but the state of Mississippi has a Bill exactly the same as this, which deals with the employer, the employee, and the person who grants the tips. The penalty there is $500, or penal servitude for six months for breaking it. Here is what a gentleman says who travelled through Mississippi:

A No tip State.

H. M. Hailes, a Boston commercial traveller gave his impressions of a no-tip state.

In the state of Mississippi, said Mr. Hailes, the no-tipping law has been instituted, and the fine for giving or receiving a tip is $500 or penal servitude. It is regarded as seriously as a bribe. And yet in the hotels in the cities of that state I received the best attention of any hotel I ever stopped at. And the indirect cause was no doubt the absence of the continual worry and annoyance of tipping. In a few of the hotels of St. Louis and Philadelphia the system is in force, and it has proved extremely satisfactory.

There they have it in force and it has been carried out in Mississippi, and it has been successful and nobody is bothered. I would suggest that we give it a trial.

Hon. Mr. DANIEL—I am very much inclined to agree with the hon. member from Prince Albert. If this Bill becomes an Act of Parliament there will be, at all events at first, a good deal of difficulty in having it carried out generally, but I believe it is well to make a start. I think every one here is quite of the opinion that this tipping business has become not only a nuisance, but a real imposition on the travelling public. Unless a start is made it will go on getting worse all the time.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. DANIEL—That is why I intend to support the Bill. The more the people take it into consideration, and think it out, the better satisfied they will be to have such a law on the statute book. While, at first, there will be very considerable difficulty in carrying it out, those who are looking to accommodate the travelling public—those in hotels, and restaurants, railway lunch rooms, and places of that kind—will very soon get into the way of making such arrangements that the comfort of travellers will not suffer, and that these arrangements will be such as not to require any extra payment on the part of the traveller. If it were the case, that hotels, and places generally, were in the habit of charging very low rates, and getting hardly enough to keep the business going, it would be a very different story, but we know very well that all the rates charged, whether in dining cars, sleeping cars, or hotels, are such as must give a very considerable profit to the people who are engaged in those centres. For this reason, even though some of us may feel that it may be difficult to carry out the provisions of the Act thoroughly, we are satisfied that it is well to make the attempt and see what can be done. If necessary the Act can be improved after we have had some experience of its working. With regard to subclause (b), it says:

Being an employer or master who permits or allows any of his employees, etc.

That is putting a very considerable burden on the employer, and it would be fairer to the employer to insert the word 'knowingly' before 'permits'.

Hon. Mr. DAVIS—I was under the impression that the clause as it stands was only rendering the employer liable if he knowingly permitted a violation of the Act. If the hon. member from Middleton (Hon. Mr. Ross) does not think that it would interfere with the working of the Bill I have no objection to putting in the word 'knowingly.'

Hon. Mr. ROSS (Middleton)—It would have to be there anyway. The suggestion has been made that the penalty is too high, tnat the maximum fine should be reduced to $50 and the term of imprisonment to one month.

Hon. Mr. DAVIS—It rests entirely with the magistrate.

Hon. Sir MACKENZIE BOWELL—A reduction of the amount and the term would make it more acceptable to the other House, but as the amendment declares that the sum and the term mentioned are the maximum, my objection is met; because the magistrate convicting an offender may fine him a trifling amount or sentence to imprisonment for a very short time.

The clause was adopted.

Hon. Mr. MURPHY—I should like to point out that clause 3 (a) is too broad in its scope. It makes anybody employed in a private capacity liable to the penalty under this Act. It should be confined in its application to any one who renders a public service. A clause should be inserted either to exempt private individuals or to make the law applicable only to persons rendering public service.

Hon. Mr. ROSS (Middleton)—It would be better done by putting in a clause at the end to the effect that it shall apply to hotels, restaurants, steamship companies, railway companies, theatres, barber shops, etc.

The clause was adopted.

On subclause (c):

Hon. Mr. DANIEL moved that the word 'knowingly' be inserted after the word 'master' in the first line.

Hon. Mr. FORGET—I do not think it is necessary.

Hon. Mr. POWER—I do not think it will be judicious to insert the word knowingly. If that word were inserted you increase very much the difficulty of making the Bill effective. Any one initiating a prosecution would be obliged to prove the knowledge of the owner, and that would render the Bill practicably unworkable. The employer can control his servants, and he should not permit this. He should issue instructions not to take tips. After that, I suppose, his duty is done.

Hon. Mr. DANIEL—Perhaps I am wrong, and it may be the hon. gentleman from Halifax is entirely correct, but it appears to me unless the word knowingly was put in, the employer would be liable for any infringement of the Act that occurred in his place, whether he knew it was going on or not. If that was the intention of the Act, all right. I should think an employer should only be liable if he knowingly permitted his employees to break the law.

Hon. Mr. DAVIS—Suppose we start at the beginning of the Bill, 'An employee or master.' Could we not add some words there—'of labour in a public way'—so as to cover everything without enumerating boot-blacks?

Hon. Mr. MURPHY—You have to cover the servants.

Hon. Mr. DAVIS—But we wish to exempt private houses.

Hon. Mr. ROSS—This Bill deals directly with the offence mentioned, and, as I pointed out the other day, there is nearly always an alternative to the taking of tips or gratuities. It is easy for servants to organize a raffle or lottery instead of obtaining a tip from the customers and then sell lottery tickets to them. I would suggest that we add the following paragraph:

Obtaining money or money's worth by any device or plan which in the judgment of the convicting magistrate is a device or plan to defeat the provisions of this section is an offence under this Act and punishable thereunder.

Hon. Mr. BOYER—Would it not be as well to put in a clause that no electors will be allowed to take a tip from the candidates?

Hon. Mr. DAVIS—That is covered already by law.

Hon. Mr. BOYER—This is, coming from an independent source—as the members of this House have not to be elected—it would be a great relief to the other House. I simply make the suggestion. Another point I would like to call to my hon. friend's attention: We often read in newspapers that a silver collection will be taken up after the services.

Hon. Mr. ROSS (Middleton)—Put it in.

Hon. Mr. BOYER—Is it because the minister or clergyman is not paid enough? Who is going to pay the fine in that case? Now, to come to serious business, does the Senate really think that we are elevating the standard of our work by bringing in such measures? I believe this is the only part of the discovered world to-day where such a law would be put in force; and how it is going to be enforced is another question. Services rendered ought to be paid for. I do admit there are certain abuses, but those abuses can be cured by the public refusing to be preyed upon. If you take a chair in the day car from Montreal to Ottawa, one gentleman—I call him a gentleman because he is generally better dressed than any of us—collects 50 cents, and you do not see him any more, but at the end of the journey another gentleman turns up and offers to brush your hat—damages 25 cents. Now I am not sure whether the railway companies are responsible or not, but it is for them to stop that abuse, or for the travelling public to refuse to have anything to do with the second gentleman, who comes to collect. But how in the name of goodness are we going to enforce this law? We have to-day more laws on our statute books than would take the population of Canada to put into force; why augment the number? It is simply education that is required. If it went through the community that we would not tip, the hotel keepers and the sinners would soon ascertain the general intention and find the remedy themselves. My hon. friend suggested that there is a system abroad by which the luggage of any man who does not tip is stamped in a certain way. I have travelled abroad for a few years, but I am not aware that my luggage was ever stamped.

Hon. Mr. DAVIS—Because you tipped; you are a rich man, and you can afford it.

Hon. Mr. BOYER—I must say that I did as the usual public does.

Hon. Mr. DAVIS—Therefore you tipped.

Hon. Mr. BOYER—If any man does a certain service for me he is entitled to a reward.

Hon. Mr. MURPHY—Did you not pay him?

Hon. Mr. BOYER—Since we are coming down to our poor little selves, I may add that there was a sort of movement carried through the Commons, and I believe through the Senate, for an increase of indemnity. Was not that a tip, and did not some of us beg for it?

Hon. Mr. DAVIS—That is far-fetched.

Hon. Mr. BOYER—What position will we be in now if this goes through?

Hon. Mr. ROSS (Middleton)—I would point out to the hon. gentleman who has just taken his seat that during the last few years a practice grew up in banks of asking for a bonus on anything substantial in the way of a loan. A man who went to do business with the bank had to pay seven

or eight or nine per cent interest and then, in order to get his loan through, he had to pay a bonus besides. This Parliament last year inserted a clause in the Banking Act making those bonuses illegal. That is exactly the very same principle that underlies this Bill.

Hon. Mr. DAVIS—The same principle underlies the statute which this Bill is amending; so that if my hon. friend employs some person who goes out and takes a tip from somebody when buying gasolene for his automobile he becomes liable under the Act as it stands. This Bill only enlarges that Act; the principle is there now. As far as enforcement is concerned, you can say about any statute that it cannot be enforced. What about the Bribery law? You may not be able to enforce it in full, but you do to a certain extent.

Hon. Mr. DAVID—I would move in amendment that the following words be added as clause (d):

This shall not apply to private residences.

The amendment was adopted.

Hon. Mr. DAVIS—I think the Bill would be much better without that.

Hon. Mr. WATSON, from the committee, reported the Bill with amendments, which were concurred in.

SECOND READINGS:

Bill (K-3), an Act for the relief of Florence Merritt.—Hon. Mr. Ratz.

Bill (L-3), an Act respecting certain patents of The Dominion Forged Steel Car Wheel Company, Limited.—Hon. Mr. Belcourt.

CIVIL SERVICE ACT AMENDMENT BILL.
SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (146), an Act to amend the Civil Service Act.

He said: This is a very short Bill. Its object is to give authority to increase the salaries of clerks in post offices, making the minimum $600 per annum instead of $500, and to advance the annual increase permitted under the Civil Service Act from $50 to $100.

Hon. Mr. DAVID—That is good.

Hon. Mr. BOSTOCK—I should like to draw the attention of the hon. leader of the Government to a question with regard to the post offices of the West, and some in the East, in places where salaries are not paid directly by the Government. My attention has been called on more than one occasion to conditions existing in towns where the postmaster is paid a fixed salary, and allowed to supply his own help. It seems that very often the help does not receive the pay that is really commensurate for a person who is properly trained and filling the position, and that inefficient and incapable help is very often employed, with the result that the public suffer very greatly, in the matter of their mail. To a large extent the postmaster desires to make as much revenue out of the office as he can, and he employs, in consequence, clerks to assist him who are not really capable of doing the work. When they do get up to a position where they are able to ask for higher salary they are very often discharged, and new hands taken on, with the result that the same thing goes on over and over again, and the public suffers in consequence. There are a number of offices in this position all through the country, and as I understand, it is a very serious matter the way this work is done. The Government should give attention to it, and see if some alteration cannot be made in that way. For instance, since 1911, in one or two offices in British Columbia the postmasters were changed; the consequence of the postmaster being changed was that all the officials in that particular post office left. The postmaster himself was new to the work, and the people that he employed were all new to the work, and there have been a great many complaints from the public as to the way they have been served in this particular class of office. That matter should be looked into, to ascertain if some improvement could be made in the service in that way.

The motion was agreed to, and the Bill was read the second time.

The Senate adjourned until 3 o'clock tomorrow.

THE SENATE.

Thursday, May 14, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

QUALIFICATIONS OF CAPTAIN GREY.

INQUIRY.

Hon. Mr. CHOQUETTE inquired:

1. What are the qualifications, as maritime expert, of Capt. Grey, who acted as assessor to Capt. Lindsay at the investigation held lately in Montreal on the accidents to the steamers 'Montfort' and 'Saturnia' on the river St. Lawrence?
2. On whose recommendation was he appointed for these investigations?
3. What has been his occupation since two years, and what is his present employment?

Hon. Mr. LOUGHEED—The answers to the hon. gentleman's questions are as follows:

1. Captain Grey is a master mariner, holding an ocean-going master's certificate, granted by the Board of Trade, London, England.
2. On the recommendation of the Wreck Commissioner.
3. The department has no information as to this.

AN ADJOURNMENT.

MOTION.

Hon. Mr. LAVERGNE moved:

That when the Senate adjourns to-morrow, it do stand adjourned until Tuesday, the 26th instant, at eight o'clock in the evening.

Hon. Mr. CASGRAIN—I move that the Notice of Motion be amended so as to read as follows:

That when the Senate adjourns to-morrow it do stand adjourned until Tuesday the 19th instant at eight o'clock in the evening.

The amendment was agreed to, and the motion, as amended, was adopted.

SECRET COMMISSIONS ACT AMENDMENT BILL.

REFERRED TO COMMITTEE.

Hon Mr. DAVIS moved the third reading of Bill (F-3), An Act to amend the Secret Commissions Act, 1909.

Hon. Mr. BOYER—Before that motion is carried, I would like to move the following motion:

That the said Bill be not now read a third time, but that the Bill be referred back to the committee with instructions to insert the following words:—'that all public company's barber shops, boot blacks, etc., be compelled to post notices warning the public that tipping is against the law and punishable by fine or imprisonment.'

My object in moving this amendment is to correct an oversight in the Bill. Suppose a stranger travelling through Canada comes from a country where tipping is not a sin nor prohibited by law, and his bag is carried out of the station; or suppose he tips a boot-black, who is apparently one of the great offenders in the matter of the receiving of tips—that stranger is liable to a fine of $200 or six months in jail. This is rather severe on a man landing in a new country, ignorant of the law; the object of my amendment is to remedy this.

Hon. Mr. DAVIS—I suppose my hon. friend would make the same statement with reference to a stranger coming into this country if we had prohibition in force —if the man had a flask of whisky and not knowing the law of this country, gave a drink of liquor to somebody, he should be notified that he is breaking the law—that we ought to have a staff of policemen to tell him about the prohibition law.

Hon. Mr. BOYER—No, I am speaking about notices. If you had notices covering the case of the liquor flask it would be sufficient. In England I have seen notices in theatres stating that the employees will be dismissed instantly if they are caught taking a tip. We have it in the restaurant of the House of Commons.

Hon. Mr. DAVIS—I have not seen it.

Hon. Mr. BOYER—Perhaps you did not want to see it. This amendment is a good thing to have; it will do the Bill no harm; it is a protection to strangers, and it is a good advertisement for the country to put up.

Hon. Mr. BEIQUE—I hope the hon. member from Prince Albert (Hon. Mr. Davis) will not object to this amendment, which I think would improve the Bill. It is but proper that all parties be notified of the law, and it will not impair the effectiveness of the Bill.

Hon. Mr. MURPHY—I think the hon. member from Prince Albert will be well advised in accepting the amendment. It would be a standing notice to the employees as well as the travelling public that tips are forbidden. It would in no way affect the Bill prejudicially.

Hon. Mr. DAVIS—It is in the hands of the House. I have no objection at all; I want an expression of opinion on the suggestion. It is just a question in my mind whether we can legally do that or not .

Hon. Mr. CLORAN—Certainly we can.

Hon. Mr. DAVIS—Can that amendment be placed in the Bill without going into committee?

Hon. Mr. CLORAN—Certainly.

Hon. Mr. DAVIS—Why move the reference of the Bill back to committee?

Hon. Mr. CLORAN—I am heartily in sympathy with this Bill, and think it is demanded by the circumstances of living in this country, and I would advise the originator of the Bill to accept the amendment. Notice put up in all places of public utility will act as a force of policemen, just as the notice against spitting in street cars acted in Ottawa and Montreal. When those notices were first put up seven or eight years ago they were laughed at: it was said that they could not be enforced, but when it was seen that a violation of that regulation meant a fine of forty dollars or two months' imprisonment, the spitting stopped. To-day the city of Ottawa has a model system of street cars, as far as the spitting and cleanliness are concerned. It is necessary for the efficacy of this Bill to have these notices posted in all public places, and in all places of public utility, and they should be placed where they can be seen. They would be as good as if you had detectives on the track of offenders against the law, because a man who has had a twenty-five cent breakfast at the Chateau, if the waiter wants a fifty cent tip, has only to point to the sign 'No tipping allowed.' He is not ashamed to do that, though he is ashamed now to refuse the waiter, who may be a Pole, a Syrian, an African or somebody else he has never seen before, but who practically demands the value of the breakfast for himself. I know a senator who last week was in Toronto at the horse show, and who was a witness of this incident: A gentleman at a table with one or two friends had a little breakfast, and as he rose from the table he put a tip into the hands of the waiter. What did the waiter do? He came over to the waiter at the senator's table and said, 'Look what the mean bunch gave me.' And what was in the palm of his hand?—a fifty cent piece. That is a sample of the thanks you get from the fellows that you tip. The waiter at the senator's table said, 'Oh, they are all alike.' Well, the senator was wise enough not to give anything to the waiter who said that, and thus the man got his lesson; but how many have the courage to do so? This Bill is necessary in the interest of the large travelling public—men who are on slender means with from $75 to $100 a month, men with families who are obliged to travel, also commercial travellers on the road all the time—these are the men who are bled to death. It is all right for a bank manager, or for Mackenzie and Mann and men like that, to throw a five dollar bill at a fellow, but, as was well said by the senator from Prince Albert (H n. Mr. Davis), that custom prevents an ordinary man from getting the service to which he is entitled.

Hon. Mr. LAVERGNE—I do not agree with the hon. gentleman. Speaking for myself—I do not know if I have any supporters in this House—this is a measure that should not pass this House. It is an infringement on the individual liberties of the citizen. You propose to enact a law which would prevent you paying five or ten cents to a man who renders you a service. That is not right. If a vote is taken on the third reading I shall certainly vote against it.

Hon. Mr. CASGRAIN—Might I ask the hon. gentleman from Prince Albert (Hon. Mr. Davis) if there is any legislation like this in any other country?

Hon. Mr. DAVIS—Yes, the state of Mississippi has a similar law that has been in force for two years.

An hon. GENTLEMAN—And in Michigan.

Hon. Mr. CASGRAIN—I shall vote against the Bill because under present conditions one is at liberty to give or not to give. We must remember that waiters in hotels sometimes have actually to pay, to get their position.

Hon. Mr. CLORAN—That is what we want to stop.

Hon. Mr. CASGRAIN—I know of one place in Montreal—Freeman's hotel—where the person who has charge of the hat rack pays one hundred dollars a month for the privilege of holding that place. Of course you are at liberty not to give anything when you get your hat back, just the same as you are at liberty not to tip a waiter; but when you know that these people depend upon tips for their wages it should be enough to warrant us in voting against the Bill; I was sorry not to be here to vote against the second reading. These people against whom the Bill is aimed are entitled to make a living, and tips are part of their wages. The tipping custom prevails the world over, and I do not think

it is elevating the Senate in the eyes of the country to discuss a Bill like this.

Hon. Mr. DAVIS—One hon. gentleman says this Bill interferes with the liberty of the subject. In some parts of this country one is not allowed to offer another a drink of liquor. Is not that interfering with the liberty of the subject? In very many ways we interfere with the liberty of the individual, for the benefit of the whole community. With reference to the statement of the hon. gentleman from De Lanaudière (Hon. Mr. Casgrain), that the Bill would interfere with people who make their living this way, I do not think he is very logical. His idea evidently is that we should keep some people by charity. That is not the view of the workers themselves. The labour unions all over the country are in favour of this measure; the waiters' union in Winnipeg, and also the one in Montreal approve of the Bill, because they want to have fair pay for their services; they want to know what they are working for; they do not want to be treated as beggars. Under the present system they are regarded as mendicants. There is not a labour union in the country that is not in favour of this Bill. The Canadian press supports it almost unanimously. Only two newspapers have come out against it. One was the Winnipeg Tribune, but the paper received such a flood of letters from subscribers protesting against the stand the paper had taken that they were glad to take it all back. The people who will be affected by this Bill want a change. They want to get definite wages for their services. I am sure it is popular with the travelling public all over the country. My hon. friend from De Lanaudière (Hon. Mr. Casgrain) thinks that we should wait until somebody else does something before we venture to enact a new law. Surely we should take the initiative, when we feel justified in doing so, rather than copy the legislation of our neighbours. The law is in force in the United States.

Hon. Mr. GORDON—Where?

Hon. Mr. DAVIS—In Mississippi—it has been in force there for some time.

Hon. Mr. GORDON—It is not in force in Michigan.

Hon. Mr. DAVIS—I am willing to accept the amendment.

Hon. Mr. CHOQUETTE—If the Bill is to become law surely this amendment must go in. It is a good amendment, and the hon. gentleman gave us an illustration to show what an advantage it would be to place on the walls that tipping was illegal. If the amendment to refer the Bill back to committee is to be carried, I have nothing to say, but when the Bill comes from the committee I propose to move the six months' hoist.

Hon. Mr. BOYER—My amendment was to refer it back to the committee with instructions to amend it by inserting the clause I read to the House. An hon. gentleman says that that can be done without going into committee. That is for the Speaker to decide.

Hon. Mr. DAVIS—I have no objection to the amendment.

The SPEAKER—The amendment as handed over to me was that the Bill be referred back to the committee. A discussion took place and some hon. gentleman then proposed to amend the Bill immediately without referring to the committee and consequently I put the motion to amend in this last way.

Hon. Mr. BOYER—If the House desires to go into committee again I am satisfied, but I should like some legal gentleman to draft an amendment to cover all the points.

Hon. Mr. MURPHY—I am thoroughly in accord with the amendment, but I think it should be properly drafted. There is too much particularizing in it as drafted. It should not go through in its present shape, but the suggestion of the hon. gentleman who moved it should be accepted.

The SPEAKER—The motion is to refer the Bill back to the committee with instructions to amend it in the way proposed.

Hon. Mr. GORDON—I move in amendment to the amendment that the Bill be given a six months' hoist.

Hon. Mr. CHOQUETTE—I have given notice that when the Bill comes back for the third reading I shall move the six months' hoist.

Hon. Mr. GORDON—Then I withdraw my motion for the six months' hoist.

The SPEAKER—The amendment is carried and the Bill will be referred to a Committee of the Whole on Tuesday next.

THIRD READING.

Bill (K-3), An Act for the relief of Florence Merritt.—Hon. Mr. Ratz.

PRISONS AND REFORMATORIES ACT AMENDMENT BILL.

SECOND READING POSTPONED.

Hon. Mr. LOUGHEED moved the second reading of Bill (178), An Act to amend the Prisons and Reformatories Act.

He said: I shall read the Bill. It is very short, and is as follows:

1. Section 155 of the Prisons and Reformatories Act, chapter 148 of the Revised Statutes, 1906, as enacted by chapter 39 of the statutes of 1913, is amended by substituting the word 'Truro' for the word 'Halifax' in the ninth line thereof.

Hon. Mr. BOSTOCK—What is the effect of that?

Hon. Mr. POWER—Why is that change made? I am not sure that there is legislation for the purpose, but a proposal has been made to have one central reformatory for the lower provinces, and I should like to know whether this Bill is intended to apply to that institution or to take away the Halifax Industrial School, a reformatory which is now in existence in Halifax, and remove it to Truro. They are two very different things, and I for one should rather object to it.

Hon. Mr. LOUGHEED—I cannot give my hon. friend the information. I move that the Order of the Day be discharged and placed on the Order of the Day for to-morrow.

The motion was agreed to, and the order was postponed accordingly.

SUPREME COURT ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (175), An Act to amend the Supreme Court Act.

He said: We amended the Supreme Court Act last session by making provision for certain appeals. The provision did not go sufficiently far. It did not cover actions then pending, and the object of this Bill is to make the legislation of last session reach those cases then pending.

Hon. Mr. BELCOURT—The only effect of that is to make it retroactive.

Hon. Mr. LOUGHEED—Yes, so that the amendment may cover cases pending at the time of the passage of the Act of last session.

The motion was agreed to, and the Bill was read the second time.

SECOND READING.

Bill (M-3), An Act for the relief of Gustav Oscar Lindquist.—Hon. Mr. Gordon.

VINEBERG DIVORCE CASE.

CONSIDERATION OF REPORT POSTPONED.

The Order of the Day being called.

Consideration of the thirty-fourth report of the Standing Committee on Divorce, to whom was referred the petition of Helen Vineberg, together with the evidence taken before the said committee.—(Hon. Mr. Kirchoffer.)

Hon. Mr. FARRELL, on behalf of Hon. Mr. Prowse, asked that consideration of the report be postponed until to-morrow.

Hon. Mr. CASGRAIN—I should like to have it postponed until next week. I have some information bearing upon the case.

Hon. Mr. CLORAN—Is the information of any use in the discussion of the case?

Hon. Mr. CASGRAIN—I hope so.

Hon. Mr. CLORAN—To be of any use it should be sworn testimony. I do not see that any personal information should influence the views of this House against the sworn evidence in the report. If the hon. gentleman will tell the Senate that he has information on oath we might have something to stand on. We have enough to stand on now in the report—much more than is necessary. I do not see any wisdom in keeping this vile thing before the public any longer.

The Order of the Day was postponed until Tuesday next.

UNITED EMPIRE LIFE INSURANCE BILL.

REJECTED.

The Order of the Day being called.

Consideration of the report of the Standing Committee on Banking and Commerce, to whom was referred Bill (F) 'An Act to incorporate The United Empire Life Insurance Company of Canada.'—Hon. Mr. Thompson.

Hon. Mr. POWER—Explain.

Hon. Mr. THOMPSON—The Bill came to the committee as a kind of orphan. There was nobody there to take charge of it and it stood for a number of meetings of the committee. Later on very serious references were made to some of the parties whose names appeared as promoters of the Bill, and the committee believed that the best thing to do was to report that the pre-

amble was not proven. I move the adoption of the report.

The motion was agreed to.

BILLS INTRODUCED.

Bill (144), An Act to amend the Indian Act.—Hon. Mr. Lougheed.

Bill (136), An Act to amend the Dominion Lands Act.—Hon. Mr. Lougheed.

Bill (137), An Act to amend the Dominion Forest Reserves and Parks Act.—Hon. Mr. Lougheed.

Bill (168), An Act to amend Part VI, of the Canada Shipping Act.—Hon. Mr. Lougheed.

Bill (181), An Act respecting the entrance of the Grand Trunk Pacific Railway Company and the Canadian Northern Railway Company into their joint terminals at the city of Winnipeg.—Hon. Mr. Lougheed.

Bill (P-3), An Act for the relief of Frederick Dwight Chesley.—Hon. Mr. Derbyshire.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

Friday, May 15, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THIRD READINGS.

Bill (D-3), An Act to incorporate the General Council of the Canadian Branch of St. John's Ambulance Association.—Hon. Mr. Bostock.

Bill (107), An Act respecting the Fredericton and Grand Lake Coal and Railway Company.—Hon. Mr. Daniel.

Bill (M-3), An Act for the relief of Gustav Oscar Lindquist.—Hon. Mr. Gordon.

Bill (X-2), An Act respecting The Grand Council of the Mutual Benefit Association of Canada.—Hon. Mr. Coffey.

OBSTRUCTIONS OF FRASER RIVER.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

1. What is the name of the person who is removing the obstruction in the Fraser river caused by the sliding of the Canadian Northern Pacific roadbed into the river?
2. Under what department is the work being carried on?
3. What is the estimated cost of the work?
4. How long is it expected to take?

Hon. Mr. THOMPSON.

Hon. Mr. LOUGHEED—The answers to the hon. gentleman's questions are as follows:

1. Pacific Dredging Company.
2. Department of Marine and Fisheries.
3. At least $50,000.
4. It is hoped that sufficient rock, etc., will be removed by the time the water rises so as to stop work, to allow the salmon to freely pass.

SALARIES AND RETIRING ALLOWANCE OF JUDGES.

MOTION.

The Notice of Inquiry being called:

Hon. Mr. PROWSE inquired:

1. How many judges have been retired since 1880?
2. What are their names?
3. What salary did they receive in each case?
4. How many years did they serve in each case?
5. What was the reason given for their retirement?
6. How much did they receive for retirement allowance each year in each case?

Hon. Mr. LOUGHEED—this notice of inquiry goes back to the year 1880; so that my hon. friend will observe that the information will require considerable research, and will necessarily involve a great deal of labour. It has been suggested that, instead of making the inquiry, my hon. friend should move for the return.

Hon. Mr. YOUNG—Will the hon. leader accept this notice of inquiry as a motion for return?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. PROWSE—With the leave of the House, I move that this notice of inquiry be converted into a motion for return.

The motion was agreed to, and the order for return was adopted.

BILL INTRODUCED.

Bill (Q-3), An Act to Incorporate the International Suburban Railway Company.—Hon. Mr. Derbyshire.

SECOND READINGS.

Bill (N-3), An Act for the relief of William Ewan Laurie.—Hon. Mr. Derbyshire.

Bill (O-3), An Act for the relief of Margaret Van Dusen.—Hon. Mr. Gordon.

Bill (59), An Act respecting The Toronto, Niagara and Western Railway Company.—Hon. Mr. Casgrain.

Bill (120), An Act to correct a clerical

error in the Act 1-2 George V., chapter 118, An Act respecting the National Weekly Indemnity Company, and to change its name to The Merchants and Employers Guarantee and Accident Company.—Hon. Mr. Young.

ADULTERATION ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (99), An Act to amend the Adulteration Act.

He said: This is a Bill to amend the Adulteration Act. The first three clauses are to bring the interpretation respecting manures into uniformity with the Act respecting fertilizers. The material part of this Bill deals with maple sugar and maple syrup, the object being to prevent, as far as possible, the adulteration of these products.

Hon. Mr. BOSTOCK—Is this carrying out the recommendation that was made at the meeting of the Forestry Association for dealing with this question?

Hon. Mr. LOUGHEED—I really could not say.

Hon. Mr. BOSTOCK—I understand the association made a recommendation to the Government in that respect.

Hon. Mr. LOUGHEED—Very possibly; I am not aware of it.

The motion was agreed to, and the Bill was read the second time.

CUSTOMS ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (171), An Act to amend the Customs Act.

He said: The object of this Bill is to amend the Customs Act to permit of the drawback on the manufacture of imported pig-iron—upon which we now make a drawback equal to the customs duties—to be extended to any of the blends of imported pig-iron, with domestc pig-iron, and limited to the weight of the product itself, and not exceeding at any time the amount imported from a foreign country. The object of it is to permit of manufacturers using domestic pig-iron in melts with foreign pig-iron. This has been done at the instance of those interested in the trade in Canada, and it is thought will very considerably encourage the consumption of our own product without in any way imposing any further obligation by way of drawback upon the Government under the Customs Act.

Hon. Mr. BOSTOCK—Would the hon. gentleman explain what is the arrangement at the present time, and wherein the difference comes?

Hon. Mr. LOUGHEED—The arrangement at the present time is this: that if a manufacturer desires to avail himself of the drawback upon the manufacture of export products out of imported pig-iron, he keeps the foreign iron separate from the domestic iron. The law, as it is to-day, would practically prohibit or prevent him from getting the full advantage of the drawback, should there be a blend of the two irons. That difficulty can be overcome where there is a blend of the two irons, through the provisions of this Bill. That is to say, it is immaterial to the Government if the two irons be blended, so long as the limitation is placed upon the weight of the product, and in any event restricted to the amount of iron imported from a foreign country. It practically works out the same as the law is to-day, but gives an additional advantage to the use of our own iron.

Hon. Mr. WATSON—You are raising the value of our own domestic iron to the value of the imported iron? You are allowing equal weights. The imported iron may be worth more per ton than the domestic, but you are allowing the manufacturer to bring in, say ten thousand tons of pig-iron, which may be worth five dollars more than domestic iron, and he may replace that with domestic iron and get his drawback, and use the imported iron in manufacturing goods in Canada.

Hon. Mr. LOUGHEED—Yes, but now he must bring in imported iron, and use imported iron.

Hon. Mr. WATSON—But he does not have to export all the imported iron?

Hon. Mr. LOUGHEED—No; the export, however, is now limited to the products which he might manufacture out of the imported iron which he has brought in, although only domestic iron may have entered into the product.

Hon. Mr. WATSON—But you enhance the value of the domestic iron to the value of the imported iron?

Hon. Mr. LOUGHEED—Yes, but it amounts to that, and it encourages the development of the export trade.

Hon. Mr. POWER—Before we go into committee the hon. gentleman might look carefully into the wording of that clause, which is not very clear.

Hon. Mr. BOSTOCK—Would the hon. gentleman, when we go into committee, give us the particulars as to what class of manufactures are getting this drawback?

Hon. Mr. LOUGHEED—All goods exported from Canada into which iron enters; for instance, take agricultural implements. Up to the present time the manufacturers of agricultural implements have largely used foreign irons, for this reason—the foreign iron could be purchased more cheaply than the domestic iron; that is to say to lay down in Canada, duty paid, foreign iron would cost about the same as domestic iron, but by working the foreign iron into their export products they secure a drawback equivalent to the duty. Consequently imported iron laid down in Canada, with a duty of $2.50 per ton, which is the duty, could be used, or was used in the past, and had an advantage over the domestic iron by $2.50 per ton, because the manufacturers knew that by purchasing this iron and exclusively using it for export products, they got a drawback equivalent to the duty; therefore conditions operated to the exclusion of domestic iron.

Hon. Mr. WATSON—There is a drawback on iron manufactured and sold in Canada.

Hon. Mr. LOUGHEED—This is limited to the export trade.

Hon. Mr. WATSON—There is a drawback on iron put into binders.

Hon. Mr. LOUGHEED—I do not think there is on imported iron.

The motion was agreed to, and the Bill was read the second time.

JUVENILE DELINQUENTS AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (174), an Act to amend the Juvenile Delinquents Act, 1908.

He said: The object of this Bill is to permit a judge of a juvenile court, with the approval of the Attorney General of the province in which such court is situated, to appoint a deputy judge of the juvenile court in the case of the absence, or illness, or other disability of such judge. It is found that it would be convenient, particularly in large cities like Montreal and Toronto, to make use of the services of a deputy judge, who, in all probability, would be the clerk of the court in certain cases—the less important class of cases. This proposed amendment is based on representations which have been made to the Department of Justice by the Juvenile Court in the city of Montreal. It has been strongly urged by Judge Choquette that the Act should be amended in this way.

Hon. Mr. CLORAN—Is this Bill constitutional?

Hon. Mr. LOUGHEED—I am assuming that it is, because we have already legislated on this subject.

Hon. Mr. CLORAN—I want to know if it is?

Hon. Mr. LOUGHEED—I should be taking no serious risk by saying that it is —otherwise it would not be here.

Hon. Mr. CLORAN—The nomination of judges lies in the hands of the federal power, but the creation of judges is in the hands of the provincial power. Now this Bill is a direct contravention of that constitutional provision. Can the leader of the Government see that point?

Hon. Mr. LOUGHEED—We will have to take our chances about it. If my hon. friend will read the Bill, he will see that this Government is not appointing the judge. It simply gives an enabling power to the judge, with the approval of the attorney general of the province, to do a certain thing.

Hon. Mr. CLORAN—Which it has absolutely no right to do. The only power in the Dominion of Canada to create a judicial position is the provincial legislature.

Hon. Mr. ROSS (Middleton)—Who appoints the Exchequer Court judges and creates the court?

Hon. Mr. CLORAN—I have just told you that it lies in the power of the federal Government to make the appointments.

Hon. Mr. ROSS (Middleton)—Who created the Exchequer Court?

Hon. Mr. CLORAN—The federal Government, because the Exchequer Court deals solely and alone with federal matters; the hon. member ought to know that.

Hon. Mr. ROSS (Middleton)—I know that it deals with private matters, with the

assessment of lands and a whole variety of questions which affect every man, woman and child in the provinces of Canada.

Hon. Mr. CLORAN—The hon. member ought to know his law, and that the Exchequer Court cannot deal with anything that is within the provincial jurisdiction. As I have stated, the Exchequer Court is created by federal power because it deals with federal matters alone. Now the juvenile court, and all courts apart from the Exchequer Court and the Supreme Court, comes under the jurisdiction of the province, and if this Parliament undertakes to create a judicial position, I say it is exceeding its power. I am not opposed to the proposition of having an assistant judge, but let the proper authorities who have the power to act, do so. I simply enter my protect on constitutional grounds. This is an infringement of provincial rights. If Judge Choquette—and I know him well—feels that he needs an assistant, let him appeal to the proper authorities, not to this Parliament. We have no right whatever to create the position of judge; we have no right to even nominate any one to the position that Judge Choquette holds to-day. His position was created and he was nominated by the provincial power; all police magistrates, and, up to a few years ago, certain court judges, were created and nominated by the provincial power. I cannot understand Judge Choquette, who owes his position to the provincial power, coming to the federal authorities and asking for an assistant. The language of the Bill is contradictory on its face, and I am surprised at the leader of the Government tolerating anything of this kind. I do not know whether the Minister of Justice has examined into the question, but at first sight I see a constitutional flaw in the Bill, and I would humbly suggest to the leader of the Government that he consult the Minister of Justice in regard to this point—whether we have the right to create this position, when we have not even the right to nominate. Who is going to pay the salary of the official who will be appointed? Not the federal power, and the provincial power certainly does not know anything about it. I think the matter of judicial appointments is of serious importance, and the department should be consulted before it goes through.

Hon. Mr. DE BOUCHERVILLE—At first sight it seemed to me the point raised by my hon. friend from Victoria division (Hon. Mr. Cloran) was rather serious, but on looking at the Bill I observe that the Government does not name the judge. It says that the judge of the juvenile court may, with the approval of the Attorney General of the province in which the court is situated, appoint a deputy judge. It is not the federal Parliament that names the judge, they merely say that the judge of the Juvenile Court in Quebec with the consent of the Attorney General may appoint a deputy judge. The point is not as strong as it appeared to me at first.

Hon. Mr. CLORAN—I accept the hon. gentleman's statement, but it only makes the situation more clear. Here is a court created by the provincial Government. What right has the federal Parliament to step in and say to a man nominated by the provincial Parliament what powers he shall possess? We have absolutely no authority. Let Judge Choquette apply to the provincial Parliament if he requires an assistant. My position is absolutely logical and quite constitutional, and I do not see, for the life of me, reading the lines of the constitution in plain English or plain French, that Ottawa has any right to tell Judge Choquette, the creature and the nominee of the provincial Government, that he can appoint an assistant. These may appear small matters, but they involve a large principle, of which the hon. gentleman from Montarville (Hon. Mr. De Boucherville) has been a champion for the last sixty years in Quebec—respecter of provincial right and provincial power. I hope before the debate is through that he will see eye-to-eye with me. It is not that I oppose Judge Choquette getting an assistant, but let him apply to the proper authority. I would risk anything on the proposition that I am right, that this Parliament has no power to interfere in the matter. I ask for judgment from the Government on that point.

Hon. Mr. ROSS (Middleton)—Carried.

Hon. Mr. CLORAN—It is not a question of 'carried.' It is the judgment of the Government for which I am asking.

Hon. Mr. POWER—I am rather surprised that the hon. gentleman from the Victoria division thinks it necessary to ask the opinion of the leader of the Government on the subject, because the hon. gentleman has, in the most emphatic way, about six times,

told us what the real condition of things is. Why should he refer to the leader of the Government it he knows conditions so well. There is a great deal of force in the contention of the hon. gentleman from Victoria division, and I trust the leader of the Government will look into the matter before the House goes into committee on this Bill. I do not ask him to consult the Minister of Justice because, as I understand it, this Bill was introduced in the House of Commons by the Minister of Justice, and he must have been under the impression, which I think was probably a wrong one, that Parliament had the power to deal with this matter.

Hon. Mr. BELCOURT—Is the jurisdiction to deal with this matter not derived from the Criminal Code and the rights of this Parliament to deal with criminal matters?

Hon. Mr. LOUGHEED—Yes. The procedure of the courts, so far as the Dominion Government is concerned, is in the exercise of its authority to deal with criminal matters. It will be observed by looking at the Act which it is proposed to amend that the section reads as follows:

> That the Governor in Council may designate a Superior Court or County Court judge or a justice having jurisdiction in the city, towns or other portion of the province in which the Act is so put in force to act as Juvenile Court judge for such city, towns or other portion of the province, and the judge or justice so designated or appointed shall have and exercise in such city, town or other portion of a province all the powers by this Act conferred on the Juvenile Court.

There is an exercise of the jurisdiction within the authority of the federal Parliament, as well as the exercise of the jurisdiction within the provincial power, in the juvenile courts under the Juvenile Delinquents Act. Hon. gentlemen will observe by looking at the interpretation clause—section 2, paragraph (f) as to what constitutes the court:

> The court or the Juvenile Court means any court duly established under any provincial statute for the purpose of dealing with juvenile delinquents or specially authorized by provincial statute, the Governor in Council or Lieutenant Governor in Council to deal with juvenile delinquents.
>
> The judge means the judge of a Juvenile Court seized of the case or the judge specially authorized by Dominion or special authority to deal with juvenile delinquents seized of the case.
>
> Industrial school means any industrial school or juvenile reformatory or other reformative institution or refuge for children duly approved by the provincial statute or by the Lieutenant Governor in Council in any province.

It will be observed that there is practically a co-ordinate jurisdiction in both Governments in the constitution of these courts.

Hon. Mr. CLORAN—No.

Hon. Mr. LOUGHEED—This simply permits the judge, with the approval of the Attorney General of the province, to designate an assistant who may act under the prescribed conditions or provisions mentioned in the Act. As I have already pointed out, this legislation, or the legislation necessary for the carrying on of those delinquent courts, necessitates the exercise of the power by both the provincial and the federal Government, and in this particular case, as hon. gentlemen will observe, the federal Government has not designated who the judge shall be, although in the first instance the judge of the juvenile court—although I have no personal knowledge on the subject—is, I assume, a district judge appointed by the federal authorities.

Hon. Mr. BELCOURT—No, he is a police magistrate appointed by the province.

Hon. Mr. LOUGHEED—Then, as part of the machinery of the court, it is proposed that there should be an assistant to Judge Choquette, who will exercise a certain jurisdiction, namely, a jurisdiction with which this federal Parliament has to deal, and to clothe that official with that jurisdiction it is necessary that we should intervene to the extent of saying that the judge of that court shall be clothed with the necessary power to designate a certain official, and that official shall, therefore, exercise the jurisdiction so far as we can give it to him.

Hon. Mr. POWER—I have said that I thought there was a good deal of force in the objection taken by the hon. gentleman from Victoria division (Hon. Mr. Cloran), and it might be wise for the leader of the Government to look into the matter. Paragraph 27 of section 91 of the British North America Act gives to the Parliament of Canada this jurisdiction:

> The criminal law, except the constitution of courts of criminal jurisdiction, but including the procedure of criminal matters.

I do not think this is just a matter of procedure; it is rather a matter of the constitution of the court. Then, paragraph 14 of section 92 of the British North Amer-

ica Act gives to the provinces this jurisdiction:

> 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.

So that there is really a serious question involved, and it is worth looking into before we go into committee.

Hon. Mr. BELCOURT—I have not had the opportunity of looking into the question before, but I am inclined to thoroughly agree with the leader of the Government that this Parliament has jurisdiction in what we are proposing to do now. We are not creating a court or appointing a judge; the court already exists, and this Parliament has clearly the power in dealing with criminal matters to delegate to any court or judge already appointed the power to adjudicate on certain matters. Here is a court appointed by Quebec, with a judge appointed by Quebec, to deal with matters given to that court by the province. Is there any objection to this Parliament delegating to that judge the hearing of criminal or quasi criminal matters? That is not infringing on any of the provincial powers. We are not interfering with them in any way, and if we have the right to delegate the adjudication of offences under the Juvenile Delinquents Act to the judge, we certainly have the power to authorize that judge to delegate that power to somebody else, and if we have the right to delegate the adjudication of matters under the Delinquents Act to the judge, we have the right to delegate it to somebody else. I would like to ask my hon. friend if it is proposed for a moment to confine the application of the Act to Montreal; is that the idea?

Hon. Mr. LOUGHEED—That is the intention, yes. It has arisen from a representation made by the juvenile courts in the city of Montreal to have this done.

Hon. Mr. POWER—Why should it be?

Hon. Mr. CLORAN—The question is more serious than the majority in this House consider it. We are interfering with a fundamental principle of the constitution of this country. If there is one thing that the provinces hold sacred, it is the creation of their courts and the maintenance thereof, and the procedure. Now, the leader of the Government here has just said that this Parliament, the federal power, has co-ordinate jurisdiction with the provincial powers. That I deny in toto. When he makes that statement, he makes it against the plain reading of the British North America Act. We have absolutely nothing to do with the creation of the court; we have absolutely nothing to do in regard to criminal or civil matters. The provinces create the court, and the only thing that the federal power has a right to do is to appoint the judge, and pay his salary. I am serious in this matter; I want to uphold the rights of the provinces; and for the life of me I cannot understand the argument of the hon. senator from Ottawa that this federal power—I do not call it the Government—because it delegates or allows certain courts to try certain cases along certain criminal lines, has therefore a right to delegate the power of trying those cases to somebody else, appointed otherwise than by the province. I consider that most absurd.

Hon. Mr. BELCOURT—It would be if I said it.

Hon. Mr. CLORAN—That is what you said; it is in the Debates; that the federal power had the right to delegate to the judge of that court the power to nominate another. That is the most absurd proposition that ever was put forth. Here is a court in the province of Quebec authorized by the provincial Legislature; here is a court wherein the judge is nominated by the provincial Government, and the senator from Ottawa tells us that the federal power has the right to go down to the province of Quebec and nominate somebody else to perform the duties of that court. That position is untenable, and is a direct contravention of the Constitution of this country. I hold that the matter is serious, and I feel a little flattered that the hon. senator from Halifax has for once in his life given me credit for raising the point, and that it is well taken; that is worth volumes of praise.

Hon. Mr. LOUGHEED—I hope my hon. friend will not pursue this any further. This is the third time my hon. friend has spoken on this subject; when we go into the committee stage he can discuss it.

Hon. Mr. CLORAN—All I have to say to the leader of the Government is that this matter is serious, and that it is not in opposition to the Bill that I take the stand I am doing. I am simply asking the

leader of the Government to hold it over for further consideration to see if the contention raised here is not the correct one.

The motion was agreed to, and the Bill was read the second time.

CRIMINAL CODE AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (179), An Act to amend the Criminal Code.

He said: This is an amendment to the Criminal Code and has in view the prevention of the publication of false advertisements in sales of real estate, also of movable or immovable property.

Hon. Mr. THOMPSON—That is all right.

Hon. Mr. BELCOURT—What prompted this legislation? What gave rise to it?

Hon. Mr. LOUGHEED—This legislation is largely due to the reckless advertising which has taken place, not only throughout the westerly part of Canada, although more particularly there, but throughout the whole Dominion of Canada as to townsites, as to mining properties, and as to the various classes of speculative investment. A very great deal of misrepresentation has been indulged in, and very serious losses have taken place on the part of those who were least able to sustain such losses. The object of the amendment is to do away with that class of advertising. I think I may say it has been initiated by the advertising clubs of Calgary and Edmonton, because probably that class of advertising ran as wildly in that province as in any other.

Hon. Mr. BELCOURT—Is the language used quite apt?—

406a. Every person who knowingly publishes or causes to be published any advertisement for either directly or indirectly promoting the sale or disposal of any real or personal movable or immovable property, or any interest, therein, containing any false statement, which is of a character likely to or is intended to enhance the price or value of such property or any interest therein or to promote the sale or disposal thereof shall be liable upon summary conviction to a fine not exceeding two hundred dollars or to six months imprisonment or to both fine and imprisonment.

As a matter of fact a false representation would not enhance value. Any amount of false representation is not going to really enhance the value of a property, and it might be argued on indictment that the indictment must fail on that account. It does not seem to me that the language is apt; better language than this could be found. I am not opposed to the Bill. I quite agree with it, and I am trying to find some way to make it more effective.

Hon. Mr. LOUGHEED—When we go into committee I shall be very glad to have my hon. friend's views and suggestions as to any language which can better attain the object which the Bill has in view.

Hon. Mr. BOSTOCK—Is this supposed to cover the question of pictures as well as printed representations in advertisements? Of course photographs may be very misleading.

Hon. Mr. ROSS (Middleton)—These words are apt words where they are used. A man may endeavour to enhance the value of a horse by making false statements about it. This Bill purports to deal with an attempt to enhance the value of land, by making statements about it that are not true.

Hon. Mr. BELCOURT—It may enhance the price, but it will not enhance the value.

Hon. Mr. ROSS (Middleton)—The advertiser is endeavouring to advance the value —the price or value.

Hon. Mr. POWER—There is a great deal of force in the point made by the hon. member from Ottawa, and I must say I have a great deal of doubt as to the wisdom of this legislation.

Every person who knowingly publishes or causes to be published any advertisement for either directly or indirectly promoting the sale or disposal of any real or personal movable or immovable property, or any interest therein, containing any false statement, which is of a character likely to or is intended to enhance the price or value of such property or any interest therein, etc., shall be liable to a fine not exceeding $200 or to six months imprisonment.

There is an old maxim, *caveat emptor*—that the purchaser is supposed to exercise some prudence and judgment, and when two people make a bargain they are on the defensive against one another. Now here, instead of allowing the two parties to fight it out, the state steps in and says that if the seller magnifies the value of a thing that he has to sell, he is liable to this penalty. It is a very ridiculous position, under existing conditions, and we should hesitate before making it law. Because, after all, every man who has a horse to sell does not disclose everything. He may speak of the animal as being better than it turns out to be on trial. This is a

sort of grandmotherly legislation the wisdom of which is very doubtful. People ought to be taught to depend upon their own judgment.

Hon. Mr. WATSON—A horse's fault is very often secret.

Hon. Mr. POWER—This right of praising up what you have to sell has no doubt been carried too far out in the West; they are apt to carry things further there than we do here. I shall call the attention of the leader of the House to the fact that the wording of this Bill might be modified with advantage.

Hon. Mr. THOMPSON—I am not in sympathy with the hon. member from Halifax. I do not think this Bill goes too far.

Hon. Mr. POWER—The hon. gentleman comes from too near St. John to sympathize with Halifax.

Hon. Mr. THOMPSON—I really do not think at the moment that is influencing me in my judgment in respect to this Bill, and I am not sure that I am always a great sympathizer with St. John. This Bill ought to be part of the statutes of Canada. If a man knowingly publishes any false statement of a character intended to enhance the price or value of his property, he does it for the purpose of creating a false value, and it is proper that he should be brought to book. I know a great deal of this is done in the West, and considerable in the East as well. We have reached a time in the history of this country when legislation such as this should be on the statute.

Hon. Mr. BELCOURT—I would suggest a change in the wording of that part of the clause which says:

Any false statement, which is of a character likely to, or is intended to enhance the price or value.

Hon. Mr. LOUGHEED—I should be very glad if my hon. friend will offer any suggestions he has to make, when we are in committee.

Hon. Mr. CLORAN—Why are the provisions of this Bill limited to the sale of real estate?

Hon. Mr. LOUGHEED—They are not. The Bill applies to property movable or immovable—both real and personal.

Hon. Mr. CLORAN—'Real' is real estate and 'personal' would be your watch or your clothing. What else? Then the Bill is limited to real estate and personal property.

Hon. Mr. POWER—That covers the whole ground.

Hon. Mr. CLORAN—Your personal property may be only what you have on your back. That is the case with nine out of every ten people in the country. Some hon. gentlemen may laugh. They make money where others could not make it. I want to know why the provisions of this Bill—wide enough as applied to false representation with regard to real estate—are not extended to all other commodities. Why not extend it to coal, silver and gold mines, to railroads, bank shares, dry goods and other businesses? I am not opposed to the principle of the Bill; what I am pointing out is that if it is fair and logical and in the interest of the people of Canada to protect them from fraudulent sales of real estate, it is equally important to protect them against fraudulent sales of other commodities. That is a fair proposition. What man can dispute it? As far as the Bill goes, I shall support it, but if the leader of the Government had my courage he would put in more items than real estate.

The motion was agreed to, and the Bill was read the second time.

GRANT TO MRS. ALICE JOYNSON BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (183), An Act to provide for the payment of a yearly allowance to Mrs. Alice Joynson, widow of the late J. H. Joyson, a guard in the British Columbia penitentiary.

He said: A little over a year ago the husband of Alice Joynson, who was a guard in the British Columbia penitentiary, was killed while in the performance of his duty. A couple of desperate criminals who were prisoners in the penitentiary attempted to escape and Joynson, in the performance of his duties, tried to stop them and was shot and killed. One of the prisoners was killed by another guard, and the prisoner who shot Joynson was afterwards hanged. This woman was left largely in a state of want. She has a family of children and has been in ill-health, and unable to make her living. The Government has, very properly considered that the widow of a man who was thus killed in the performance of such a duty should have some provision of this kind made for her and her children.

Hon. Mr. CLORAN—She had better get the money than Mackenzie and Mann. Give her the money.

The motion was agreed to and the Bill was read the second time.

CIVIL SERVICE ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (146), An Act to amend the Civil Service Act.

(In the Committee.)

Hon. Mr. BELCOURT—Why is this Bill referred to a Committee of the Whole House?

Hon. Mr. LOUGHEED—It would have been proper to read it at the table, as it is purely a money Bill.

Hon. Mr. POWER—Why has the Government adopted this policy of legislating piece meal with respect to the Civil Service? I do not see why amendments as to the pay of clerks in other departments, as well as in the Post Office, should not be made in the one Bill. There is another Bill on the table which undertakes to deal with the salaries of Post Office clerks. It is an objectionable way of legislating. I notice that there is some provision in another Bill to do away with the provisions of the Civil Service Act, which require clerks to pass the Civil Service examination.

Hon. Mr. LOUGHEED—This is an exceptional class of labour, probably the lowest in the employ of the Government. It has been found impossible to secure competent labour at $500, and we are increasing the pay to $600.

Col. the Hon. Mr. MASON from the committee, reported the Bill without amendment.

POST OFFICE ACT AMENDMENT BILL.

SECOND READING POSTPONED.

The Order of the Day being called.

Second reading of Bill (147), An Act to amend the Post Office Act.

Hon Mr. BOSTOCK requested that the Bill be allowed to stand until Tuesday next.

Hon. Mr. LOUGHEED—I have no objection, but I would remind the hon. gentleman that the work of the session is well advanced, and I do not wish to have this legislation delayed.

Hon. Mr. BOSTOCK—Has my hon. friend considered the matter of referring this to a special committee?

Hon. Mr. LOUGHEED—I am in the hands of the House.

Hon. Mr. YOUNG—I understand there are several interests affected by this Bill that desire to make representations. It would be a convenience to those interests if they could be heard before a special committee.

Hon. Mr. POWER—There is a Standing Committee on Civil Service Administration, and that is the committee to which the Bill should naturally be referred.

Hon. Mr. LOUGHEED—This is not a matter in which the Civil Service is interested. It is purely a question of dealing with revenue. The question is whether the Postmaster General shall be clothed with powers provided for in the Act or not.

Hon. Mr. YOUNG—These powers affect several interests.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. YOUNG—Several gentlemen who are interested have spoken to me and desire to be heard on this Bill because of the technical nature of some of the matter it contains. They argue that the matter got through the House of Commons without their being seized of the amendments which the Bill contains. I would ask if the leader of the Government could see his way clear to afford these people facilities to be heard. I am sure there is no desire on the part of the House to retard the progress of the Bill.

Hon. Mr. LOUGHEED—We will let it stand until Tuesday but I do not want the passage of the Bill delayed.

Hon. Sir MACKENZIE BOWELL—The principal objection to this Bill, one especially held by the publishers of newspapers (because it affects them to a greater extent than any other class of business) is that it gives powers to the Post Office Department, represented by the minister, to change and alter the mode of distribution and the postage on newspapers. The question is whether any one minister should have that power. What the newspaper publishers ask, and properly, is that there should be a law defining what the duties of the Postmaster General and the Post Office Department shall be in reference to the distribution of newspapers and the imposition of duty. Having had some little difficulty in that

business I am rather inclined to think that the position taken by the newspapers is the correct one. I do not wish to be understood as casting any reflection whatever upon the present Postmaster General or any other Postmaster General, but the question is simply whether power of that kind should be given to any minister.

Hon. Mr. YOUNG—I understand that the electric railways wish to be heard.

Hon. Mr. BELCOURT—The Bill contains some rather extraordinary provisions. One for instance is the sub-clause (k) in clause (1), which gives the minister the right to fix the amount of the indemnity or compensation for losses of registered letters by regulation. That is an extraordinary power to confer on any one man, even if he is the Postmaster General. It gives him power to discriminate. He may make a regulation to-day and settle a claim under it, and change the regulation to-morrow to settle another claim on a different basis. The power of making regulations of that kind and settling losses connected with registered mail is extraordinary.

Hon. Mr. LOUGHEED—The Postmaster General has been exercising somewhat analogous authority for many years. If my hon. friend will look at the sections that we propose to amend he will observe that they confer very extraordinary power on the Postmaster General, and I am not aware that it has ever been seriously abused. I understand that in the neighbouring country a similar power is vested in the Postmaster General of the United States as to fixing postal rates. However, I am not questioning what my hon. friend has said as to its being an extraordinary power. It manifestly is, and according to postal laws generally it must necessarily be of this character.

Hon. Mr. BELCOURT—I am not aware that the Postmaster General has exercised the power unduly, but it is a case of contract: the Postmaster General makes a contract with me when he undertakes to carry my letter on payment of a certain amount of postage and I should have my remedy in the Exchequer Court, but if this Bill should pass in its present shape the general jurisdiction of the court would be ousted, and the power would be vested in the Postmaster General.

The Order of the Day was discharged and fixed for Tuesday next.

F. N. BURT COMPANY PATENT BILL.

AMENDMENTS CONCURRED IN.

Hon. Mr. KERR moved concurrence in:

The amendment made by the Standing Committee on Miscellaneous Private Bills to Bill (A-3), an Act respecting certain patents of the F. N. Burt Company, Limited.

Hon. Mr. DE BOUCHERVILLE—This measure was very warmly discussed in the committee. At the present moment there are not very many members in the Chamber; hon. gentlemen should have an opportunity to express their opinion on this matter. I move that the consideration of these amendments be postponed until Wednesday next.

Hon. Mr. KERR—The matter was fully discussed in the committee, and the Bill was amended according to suggestions that were made in opposition to the Bill. This Bill provides for a revival of a patent, and the amendment makes provision for those who have been using the invention since the expiring of the patent. It is the usual amendment in that respect and makes full provision for the protection of parties who may be interested in the manufacture. I do not wish at all to refuse anything the hon. gentleman asks, but the session is well advanced and the measure has been postponed from time to time. The Bill will have to pass the House of Commons and, if it is desired to suggest any other amendments, they can be proposed there.

Hon. Mr. BOSTOCK—This Bill was very fully discussed before the committee, and two gentlemen appeared to oppose the Bill. One of them had been manufacturing the articles covered by the patent for some time, and the other gentleman stated that his company had installed machinery which had cost them somewhere about ten thousand dollars. They were preparing to manufacture these things when they saw the notice of application for renewal of patent. They presented their case before the committee, and it was with the object of meeting the particular difficulty in which they were placed that these amendments were made. If hon. gentlemen will turn to page 563 of the Minutes, they will see that an amendment was added to the second clause of the Bill providing that anybody who has installed, or commenced to install machinery for the manufacture of these patents will be permitted to proceed and manufacture the articles as if this Bill had not been renewed. The firm which had already started to manufacture these goods will be permitted to proceed as formerly.

Hon. Sir MACKENZIE BOWELL—I am opposed to the Bill. However, if the Bill is to become law I have no objection to the amendment which has been made by the committee, as I think it improves the measure. When the matter comes up at a later stage I shall give the reasons why I think the Bill should not be passed.

Hon. Mr. KERR—The observations of my hon. friend from Belleville relate to the question as to whether the patent should be revived or not. As a matter of fact, the policy of the revival of patents has been so well established in this House that it is hardly necessary to discuss it. I ask that this Bill be passed and sent to the other House, and if there is any objection which can have more weight in the Commons than it had with our own committee, it can be dealt with there. The parties are not being shut out. If this were the final dealing with the matter it would be different. The matter should not be deferred, seeing I am only asking that the amendments be concurred in, in accordance with a report of our own committee, in order that the Bill may at once go over to the House of Commons, where parties can be heard just as well as they can here.

Hon. Sir MACKENZIE BOWELL—I do not propose to reply to the hon. gentleman further than this: I take exception to the position he assumes. It does not follow that because this Senate has been year after year doing that which they ought not to have done, that we should continue it.

The Senate divided on the motion, which was rejected on a standing vote, contents ten, non-contents ten. The main motion was then adopted, and the amendments were concurred in.

PRISONS AND REFORMATORIES ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (178), An Act to amend the Prisons and Reformatories Act.

He said: My hon. friend from Halifax made inquiry yesterday about this Bill, asking me whether it was the intention to move some institutions from Halifax to Truro. I presume my hon. friend had in view the Industrial School in Halifax?

Hon. Mr. POWER—Yes.

Hon. Mr. LOUGHEED—That is not affected by the Bill.

Hon. Mr. POWER—So I see. I find that last year we passed an Act providing for a reformatory for females in Nova Scotia, and it was to be located in Halifax. I assume that the leader of the Government in the other House has concurred in the measure, and I am not going to question his wisdom.

Hon. Mr. LOUGHEED—I am informed that the intention really was to locate it in Truro, but that in error the word Halifax crept in to the Bill.

Hon. Mr. POWER—I am not opposed to it.

The motion was agreed to, and the Bill was read the second time.

The Senate adjourned until Tuesday the 19th instant, at eight o'clock p.m.

THE SENATE.

Ottawa, Tuesday, May 19, 1914.

The SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

EXPERIMENTAL FARM STATIONS IN CANADA.

INQUIRY.

Hon. Mr. ROSS (Middleton)—inquired:

1. How many employees, other than day labourers, there are in the Experimental Farm Station at Nappan, in the province of Nova Scotia?
2. What are their names and their respective duties and salaries?
3. How many are graduates of colleges, and what colleges? How many have taken post-graduate courses?
4. How long has each of these employees been in the service of the Government of Canada, and in what capacity?
5. What live stock was there at this station in 1913, and how many acres of land in connection with the station were under cultivation?
6. Are any, and what fruit trees growing at this station?
7. What is the total annual cost of the station?
8. That at the same time he will make the same inquiries in respect of the station at Kentville, Nova Scotia.
9. What laboratories are there in connection with each of such stations, and if any further construction of laboratories contemplated.
10. What is the work of each station as arranged for 1914.
11. Is the work done at these two stations carried on independently of each other and of the Provincial Agricultural College at Truro. If not, how far are the managers instructed to avoid overlapping in their work or with the work carried on at Truro?

12. May either station conduct experiments without instructions from the Central Station at Ottawa, and to what extent?

13. Has the Government knowledge of the total annual amount expended by the Government of Ontario on the Provincial College at Guelph, and by the Government of Nova Scotia on its college at Truro, and how many and what professors and instructors there are in each of such institutions, and how many and what laboratories?

14. That he will call attention to the matter so inquired into.

He said: I wish to make a short statement indicating why I have asked these questions. A reference to the Agricultural Gazette for last January will show that we have now, besides the Experimental Station at Ottawa, 26 stations scattered all over Canada, and the statement is made that these stations are increasing every year. Then we find further, by the Gazette, that the subjects with which the experimental stations deal include field husbandry, animal husbandry, horticulture, cereals, chemistry, botany, entomology, etc., and it is perfectly clear that at a very early date there will have to be some further additions made to these subjects. For instance, in other countries they have agricultural housekeeping which is a very useful study, and which I hope to see the experimental farms add to their subjects. Of these ten subjects you will find that field husbandry is divided into six sub-divisions, so that if you take the ten subjects and assume they are all divided into as many sub-divisions as field husbandry, you would have sixty subjects altogether to be dealt with by the Experimental station. But that is not all with reference to these stations. They have first to carry on experimental work, and second demonstrational work. Hence, the subjects with which the Agricultural Department has to deal are multiplying in number, and even if they did not multiply in number they cover a vast field, and with this result,—that more men are required every year. That is not only true of Canada, but of every State in the American Union; the number of these stations is also increasing on the continent of Europe quite as rapidly as on this continent. The result of that, with regard to the men employed, is this: if you have a good man in one of the stations here, who makes a good reputation for himself, it is very hard to keep him. And if you want a man, and go out into the world to hire one, you will have to pay a fairly large salary—nearly double what you would have had to pay twenty years ago. Further than that, as the science of agriculture and the science of horticulture grow, a man who might have been a useful man 20 years ago is not to-day necessarily of value. A man who is of value to the Agricultural Department to-day, has to be trained scientifically, and with that he must have experience. Then, with the increase of men, following the increase in the subjects mentioned, provinces, which have a limited income, are not able of themselves to keep pace—at all events, not on each of the subjects. In small provinces like Nova Scotia, the total sum they are able to supply annually to their Agricultural College is $80,000, and they are very much handicapped for want of money. They only cover a small number of subjects, and are not able to carry on the demonstrational work that should be carried on. There is a good deal of truth in the statement James J. Hill made on a trip to Canada, when he ridiculed having a number of learned men in a building and calling it the science of agriculture. The wise thing to do is to get your men on to the farms and among the farmers and the horticulturists in the country; to-day more men are required of higher stamp, and more money is required. In a province like Nova Scotia, which has three Experimental stations—at all events two Dominion stations, one at Nappan and another at Kentville, as well as the provincial college at Truro—in my opinion it would be a wise thing for those three institutions to get together and see if they could not co-operate.

Hon. Mr. DANIEL—Is the college at Truro, provincial or Dominion?

Hon. Mr. ROSS (Middleton)—Provincial. It would be wise for those three institutions to get together and see how they could divide the work. We were promised in Nova Scotia that the institution at Kentville would be a horticultural school. I do not know that there was any formal statement made at that time by the acting Minister of Agriculture, but that was the representation made through the press to the people of Nova Scotia. I find, however, that there is not only a horticultural school there, but that they have short horn cattle, hens, and a variety of other things. At the station of Nappan there are the very same things; at the college in Truro you have all those subjects. You must always expect that there will be more subjects at Truro, at least on a small scale, than there would be at either of the other stations, because it is a teaching institution, as well as one doing scientific research work, and it would be

necessary to have more subjects there in order to illustrate to the classes the subjects they are studying. But taking, for example, the subject of chemistry, one good man would in my opinion be quite sufficient for the Province of Nova Scotia. You cannot get a trained chemist, a man that is worth having, for less than $3,500 or $4,000 today; hence I would like to see the three institutions get together and have one chemist of high standing, whose laboratory would be located at one of the stations. Then let them select a trained botanist who would go to Kentville, and an agriculturist who would go to Nappan. In that way better work would be done for less money, and the limited amount of money available to be spent in Nova Scotia would be economized. I am only speaking for Nova Scotia in this matter, because in a wealthy province like Ontario, it is possible they have money to throw away. There are whole subjects that are being neglected, and necessarily neglected in Nova Scotia, for the want of men and money. Hence my suggestion, that the three institutions should get together and save money and get a high class of men to do the work. Further than that, I look forward to the time when the Dominion Government will take over the whole subject of agriculture, leaving the provinces to deal with the highways. If the Dominion Government assumed all the expenditure in connection with agriculture, it would let loose a substantial sum of money for the provinces to spend upon their roads, and in that way we would escape a vicious principal of legislation—that is, a divided jurisdiction on these subjects. We have now a divided jurisdiction on agriculture that involves a very heavy loss to the Province of Nova Scotia; and if a grant were made from the Dominion Government for road building, and the province also decided to purchase machinery for the building of roads and bridges, there would be another divided jurisdiction, and we would have another waste of money. I hope some day to see such a division of the subject as outlined. I expect to discuss this subject later, and I make these few remarks now, simply as explanatory of why I have asked these questions.

Hon. Mr. LOUGHEED—The answers to the questions, which my hon. friend has asked, are both numerous and lengthy. I shall not read them but place them on the table so that my hon. friend will have an opportunity of perusing them afterwards.

Hon. Mr. BOSTOCK—I presume they will be printed in the record?

Hon. Mr. LOUGHEED—Yes. The answers are as follows:

1. Nappan: three; Kentville, three.

*2. Nappan: W. W. Baird, B.S.A., Superintendent. Salary, $1,600 per annum. R. J. Robertson, acting horticulturist, salary, $720 per annum. Thos. R. Coats, foreman, salary, $65 per month. No college course. Employed 21 years first as teamster, later as foreman.

Kentville: Professor W. Saxby Blair, superintendent, salary, $2,200 per annum. J. M. Robinson, B.S.A., assistant in horticulture, salary, $1,200 per annum. Alfred Bishop, foreman, salary, $75 per month. No college course. Employed since 1911 in present position.

*** Messrs. Coates and Bishop are paid by the superintendents, salary cheques not being issued by the department.**

3. Nappan: W. W. Baird, B.S.A., is a graduate of Macdonald College. No post graduate course.

Kentville: W. Saxby Blair, is a graduate of Nova Scotia Horticultural School, 1897. J. M. Robinson, graduate Macdonald, 1912. No post graduate course taken by either.

4. Nappan: W. W. Baird was employed by the Commission of Conservation at the Agricultural Survey for the Province of Quebec in the summers of 1910 and 1911 and also by the Seed Branch Judging Competition for the Province of Quebec in the latter part of the summer of 1911. Has been Superintendent of the Nappan Farm since April 1, 1913.

R. J. Robertson has been in the employ of the Government, off and on for seven years, first as labourer and later as Acting Horticulturist.

Kentville: W. Saxby Blair engaged at the Maritime Experimental Farm, Nappan, N. S., taking records, looking after horticultural work and doing the clerical work during the summer from 1892 to 1897. Appointed Horticulturist at the Nappan Farm in 1897, which office he held until 1905 when he went to Macdonald College, where he held the position of Professor of Horticulture until appointed Superintendent, Experimental Station, Kentville, in June, 1912, which position he still holds.

J. M. Robinson, appointed Assistant in Horticulture, in September 1912, which position he still holds.

5. Nappan: Eleven milch cows, 8 heifers one to two years' old, 6 heifers from 2 to

12 months old, two bulls, one Ayrshire and one Guernsey, 28 steers for feeding experiments and 70 lambs for feeders, 8 breeding ewes, 8 Leicesters, 3 Berkshire sows, 5 Yorkshire sows, one Yorkshire boar and one Berks boar.

There were 196 acres under cultivation, including 50 acres of marsh and hay land and including about 15 acres in orchard and about ½ acre in small fruits.

Kentville: 18 steers during winter of 1913-14.

12 cows since October, 1913.

1 bull since October, 1913.

4 calves during winter 1913-14.

7 horses during 1913.

Seventy-five acres were under cultivation.

6. Nappan: The following is a list of the various kinds grown:

198	various	kinds of	apples.
15	"	"	crabs.
25	"	"	pears.
29	"	"	cherries.
57	"	"	plums.
11	"	"	black currants.
12	"	"	red currants.
3	"	"	white currants.
8	"	"	gooseberries.
10	"	"	raspberries.

Kentville: Thirty-three acres of orchard planted. 860 apple trees, 336 plum trees, 165 pear trees, 134 cherry trees, 74 peach trees, 10 apricot trees, and 10 quince trees, a total of 1589 trees. There are also 146 grape vines, 54 gooseberry plants, 180 currant, 192 blackberry, 400 raspberry and 1000 strawberry plants, a total of 1972 plants of small fruits.

7. Nappan: For the fiscal year ending March 31, 1914, the total cost was $15,913.99.

* Kentville: for the fiscal year ending March 31, 1914, the total cost was $31,533.17.

9. Nappan and Kentville: There are no laboratories, nor are any contemplated at present.

10. Nappan and Kentville: Field Husbandry, Animal Husbandry, tests of varieties of grains, roots, forage plants, fruits vegetables, flowers, trees and shrubs, fertilizer experiments, drainage, clearing land.

11. Nappan and Kentville: The work is independent of the Truro College. Experimental work is duplicated or varied at the two Stations as situation, climate and local needs require. At Kentville, horticulture is being made a special feature.

12. Nappan and Kentville: Experimental work is planned by the Director and chief officers at Ottawa, in consultation with the Superintendents. The Superintendents are at liberty to carry on any small experiments which they think are not covered by the general experimental work planned or provided for as mentioned above.

13. No.

* N.B. With regard to expenditure in connection with Kentville Experimental Station, it being in course of establishment, a great portion of this expenditure would be chargeable to capital account.

Memorandum.

Re question seven.

The annual cost is by no means uniform. The total expenditure as shown by the Auditor General's Report for 1912-13 is Nappan, $7,688.62.

Kentville, $65,482.80.

The expenditure is detailed in the report from which it will appear that a great portion of it is chargeable to capital account

The expenditure for the last fiscal year was Nappan, $15,913.99.

Kentville, $31,533.17.

If required, details can be given showing what part is chargeable to capital and what part to operating each farm, but it will take some time to prepare such a statement.

Hon. Mr. POWER—The subject which the hon. gentleman from Middleton (Mr. Ross) has brought up is a very important one. I do not propose to discuss it, but it seems to me there is an overlapping of jurisdiction that should not exist. There is one point upon which the hon. gentleman did not lay any stress, which is really one that might be dealt with by the present government without any negotiations. Why should the Dominion Government keep up the two stations at Nappan and Kentville, doing to a considerable extent the same work? That is something which might be avoided.

SECRET COMMISSIONS ACT AMENDMENT BILL.

PETITION READ.

The SPEAKER laid on the table a communication addressed to the Speaker and the members of the Senate from the waiters of the Chateau Frontenac, Quebec, in regard to the Secret Commissions Act Amendment Bill now before the Senate.

Hon. Mr. YOUNG—What is it? A petition?

The SPEAKER—It is giving reasons why the Bill should not pass.

Hon. Mr. DANIEL—Read.

Hon. Mr. POWER—I do not think there is any Order of the House to have this

communication read at the table. There is no reason why it should be read, any more than an ordinary petition.

The SPEAKER—It is not in the form of a petition; but it is really a petition asking that the Bill be not passed.

Hon. Mr. BEIQUE—How is the House to know what the communication contains, unless it is read?

The SPEAKER—It can only be read if ordered by the House. I am laying it on the table where any hon. gentleman can see it.

Hon. Mr. DANIEL moved that the petition be read at the table.

The Motion was agreed to and the communication was read as follows:

Quebec, May 14, 1914.

Gentlemen,—Pardon me for the liberty I am taking in writing you re Senator Davis' Anti-Tipping Bill. Before passing this Bill gentlemen, we beg of you to consider this question well from all points of view. This Bill if passed spells ruin to us waiters, as I will now explain:

If tipping is prohibited and our salary was to be fixed at say $75 a month, (but I am afraid it would be much less) it would barely be sufficient for us to get along. You know full well, gentlemen, that at the present high cost of living, a married man with a family to support cannot live under less than that. Rent alone is anywhere between $15 to $20, and if you would like us to give our children the necessary education to become useful and respectable citizens, we would ask you not to make this Bill law as it would hurt us more than the general public can imagine.

Another item is that nearly every waiter knows two or more languages which tends all to the comfort of our guests as we are in constant touch with the best people of every nationality. Then consider what it costs a waiter to dress. A first class hotel does not supply us with anything. We have to buy our own dress suits, jackets, linen and lots of other things for a guest in a good hotel would expect and justly so that his waiter be faultlessly attired.

Tipping at present, gentlemen, is quite optional, and we would ask you earnestly once more to leave it at that. Now if any of you gentlemen were to give a little dinner party at a hotel and you have waiters attending you who in addition to being well dressed make your dinner a success, and a good waiter can always make a dinner good irrespective of the cooking, and you are quite pleased with the attention shown you, would you not feel like giving that waiter a tip, or call it a reward, if only to show your appreciation. If, on the other hand you are not satisfied with the attention of a certain waiter and you lodge a complaint with the head waiter our punishment is sure and swift and that danger always hangs like a sword of Damocles over a hard working if not always appreciated waiter.

I have made a man to man canvass here in the Chateau Frontenac, Quebec, and found not one man in about forty-five who would like this Bill to become law. If a plebiscite was taken amongst all the waiters in Canada, you would find that ninety per cent are against it and that is putting it mildly.

Hoping that you gentlemen in the interest of our families will not make this Bill a law, we remain,

Yours thankfully,
The Waiters of the Chateau Frontenac,
per Joseph Riedl,
18, St. Flavin, Quebec.

To the Honourable President and Members of the Senate.

Hon. Mr. BOYER—What about the cooks?

Hon. Mr. DAVIS—I have a letter on the other side to read.

BILLS INTRODUCED.

Bill (84), An Act to amed the Export Act.—(Hon. Mr. Lougheed.)

Bill (138), An Act to amend the Irrigation Act.—(Hon. Mr. Lougheed.)

Bill (170), An Act to amend the Canada Grain Act.—(Hon. Mr. Lougheed.)

Bill (177), An Act to amend the Companies' Act.—(Hon. Mr. Lougheed.)

Bill (180), An Act to amend the Canada Temperance Act.—(Hon. Mr. Lougheed.)

Bill (191), An Act to provide for further advances to the Harbour Commissioners of Montreal.—(Hon. Mr. Lougheed.)

Bill (192), An Act to provide for further advances to the Quebec Harbour Commissioners.—(Hon. Mr. Lougheed.)

Bill (196), An Act respecting the Canadian Pacific Ry. Co., the G. T. Ry. Co. of Canada, and the Toronto Harbour Commissioners.—(Hon. Mr. Lougheed.)

QUESTION OF PRIVILEGE.

ASSISTANCE TO UNEMPLOYED.

Hon. Mr. CASGRAIN—Before the Orders of the day are called I should like to read a telegram which I have received from Edmonton, Alta, as follows:

Senator Casgrain,
Ottawa, Ont.

The Welfare League, consisting of merchants and professional men of Edmonton, petitioned the city council as follows: Therefore this association respectfully urges upon the council of the city of Edmonton to take up the matter with the Dominion Government with a view to securing legislation.

1. Providing for the establishing of free employment bureaus throughout the Dominion for the purpose of supplying reliable information regarding the demand for labour in any particular locality and to give every man a free and equal opportunity to secure employment and to safeguard those already employed.

2. To restrict immigration by holding back from entrance into the country or by discouraging in the country from which they came all who belong to the unskilled labouring class except bona fide agricultural labourers.

It may be within the recollection of the Senate that I brought this matter before the House, but having received this telegram, I am submitting it to the Senate. The telegram proceeds:

3. To provide work for the unemployed by utilizing the surplus labour now in the country for the construction of public works. The city council of Edmonton therefore urge you to use your influence to have the Government——

To use my influence with the Government? There must be some mistake! However, I will give the telegram to the leader of the Government in this House. I am sure he possesses with the present administration much more influence than I could ever dream of possessing, and perhaps he might meet the wishes of the people of Edmonton. The telegram continues:

To use your influence to have the Government by grants of money or by furnishing work assist the western cities to care for the unemployed.

Thomas R. Turnbull,
Civic Relief Officer.

I do not know who Mr. Turnbull is, but as this telegram was addressed to me, I have done my duty reading it to the House. If the Government is going to assist the western cities I might put in a plea also for the eastern cities.

AN ADJOURNMENT.

NOTICE OF MOTION.

Hon. Mr. BOSTOCK—Does the hon. leader of the Government propose to sit on Friday.

Hon. Mr. LOUGHEED: I know nothing to the contrary. I understand the House of Commons will not sit on Thursday, owing to its being a holiday, and I give notice now that when the House adjourns to-morrow it stand arjourned until Friday at three o'clock.

CIVIL SERVICE ACT AMENDMENT BILL.

AN AMENDMENT.

Hon. Mr. CHOQUETTE—Does the hon. Leader of the Government intend to move the third reading of the Bill to amend the Civil Service Act to-night? I thought the Bill was on the Orders for the second reading, and I desire to give a notice of motion to amend.

Hon. Mr. DANDURAND—It is not necessary to give a notice of motion to amend a public Bill, although we must give a notice of motion to amend a private Bill.

Hon. Mr. LOUGHEED—What is the nature of the amendment?

Hon. Mr. CHOQUETTE—As this Bill will increase the salaries of all officials of the Post Office Department, I shall move that after the 1st January, 1915, no person shall be employed in any capacity, in the Post Office Department in the city of Ottawa, the province of Quebec or the province of New Brunswick unless they can speak and read both official languages of this country.

Hon. Mr. LOUGHEED—I shall point out an insuperable difficulty in regard to that amendment. This is a money Bill, and my hon. friend would not be in order in moving such an amendment to it.

Hon. Mr. CHOQUETTE—The amendment does not touch the question of money, it is as to the capacity of employees and would not affect the Bill.

The SPEAKER—Without pronouncing on the question of whether this is a money Bill or not, the hon. gentleman will observe that it is a public Bill and he has always a right to move an amendment without giving notice. Therefore it is useless to discuss the Bill now; there will be plenty of time to discuss it when the Order is reached.

DEPTH OF WATER IN QUEBEC HARBOUR.

INQUIRY.

Hon. Mr. CASGRAIN inquired:

1. What is the depth of water at present at low tide in front of the new elevator built for the Quebec Harbour Commissioners?

2. How many sidings are there, if any, to approach this elevator?

3. What is the length of these sidings, and how many sidings are there?

Hon. Mr. LOUGHEED—The answer to the hon. gentleman's questions are as follows:

1. In front of the new elevator a new bulkhead wall is being built, in order to widen the present embankment on which the elevator is built, and some filling has already been placed back of this bulkhead. The present depth of water in front of the new bulkhead varies from 28 to 36 feet. Dredging is being continued this season and the berths in front of the new elevator will have, when completed, a depth of 40 feet.

2. Four.

3. Two approximately 1,200 feet one side of elevator. (South.)

Two approximately 700 feet the other side. (North.)

COST OF RUNNING TRAINS ON I.C.R.

INQUIRY.

Hon. Mr. CASGRAIN inquired:

What is the actual cost to the Intercolonial railway of running a train of four hundred tons for a distance of two hundred and seventy-five miles, *i.e.*, from St. John to Halifax?

Hon. Mr. LOUGHEED—The answer to the hon. gentleman's question is as follows:

1. The cost of running a train of four hundred tons from St. John to Halifax not including any charges for repairs, wear and tear or other overhead expenses, but charges for enginemen and trainmen, wages, fuel, water, lubricants, other locomotive and train supplies is: One hundred and seventy dollars and thirty-six cents ($170.36) based on January expenses for freight trains.

THIRD READINGS.

Bill (N3), An Act for the relief of William Ewan Laurie.—Hon. Mr. Derbyshire.

Bill (O3), An Act for the relief of Margaret Van Dusen.—Hon. Mr. Gordon.

Bill (183), An Act to provide for the payment of a yearly allowance to Mrs. Alice Joynson, widow of the late J. H. Joynson, a guard in the British Columbia Penitentiary.—Hon. Mr. Lougheed.

CIVIL SERVICE ACT AMENDMENT BILL

THIRD READING POSTPONED.

Hon. Mr. LOUGHEED moved third reading of Bill (146), An Act to amend the Civil Service Act.

Hon. Mr. CHOQUETTE—I wish to move an amendment to clause 4 of this Bill as follows:

That after the 1st January, 1915, no person shall be appointed in any capacity in the Post Office Department in the city of Ottawa and in the provinces of Quebec and New Brunswick unless they can speak and write both of the official languages of this country.

It is not necessary for me to say much on this amendment, as every one understands its meaning. It is only fair that in the city of Ottawa, any man paid by the people representing the two official languages of this country, should be able to write them and speak them. I include in this amendment the city of Ottawa, the capital of the Dominion, and the provinces of Quebec and New Brunswick As to the other provinces the same rule ought to apply, but I am not now prepared to add the names of those provinces to this amendment. I fix January, 1915, as the effective date, in order that those who cannot now write and speak both English and French may learn to do so, and thus retain their employment. I might say, it is already required by law that every pilot must understand both languages; in Quebec we have such pilots and I do not object at all, but am in favour of that law. We would like to have a similar law in the province of Ontario, so that all those who are taking public money should be able to write and speak both languages. I intend later on to move a general clause amending the Civil Service Act for the whole Dominion, but as we are now dealing with the Post Office Department, and asking for an increase of pay for those people, I am in favour of the Bill as it is to increase their salaries; at the same time I wish to move this amendement.

Hon. Mr. BELCOURT seconded the motion.

Hon. Mr. LOUGHEED—I rise to a point of order: this is peculiarly a money Bill. The amendment proposed is entirely out of order, because it proposes to change the management and the appropriation which the Bill makes.

Hon. Mr. CHOQUETTE—No.

Hon. Mr. LOUGHEED—That is to say it restricts the application of the salary proposed to the limited class of individuals indicated by my hon. friend's amendment, and which is entirely inconsistent with the Bill.

Hon. Mr. BELCOURT—I cannot agree with that view. I have seconded the amendment, but have not looked into the question at all; this is altogether new to me. I did not know that my hon. friend was going to propose it, but I submit that the amendment does not in any way affect the money side of this Bill; it does not, in any way, concern it. The amendment simply deals with something else in this Bill, with which this House has a right to deal. We can very well say that no person may be appointed to an office in the Post Office Department who does not speak the two languages, just as you can say that no person can be appointed who does not write a legible hand. There is no difference between the two. It is quite within our power to determine the qualification of any one appointed to the Civil Service. The requirement on the part of the appointee, that he shall speak the two official languages of the country is surely within our jurisdiction. We are not amending the money end of the Bill in any way; we are not increasing the salaries, not discussing them, not preventing them being paid.

Hon. Mr. LOUGHEED—Yes, you are.

Hon. Mr. BELCOURT—No.

Hon. Mr. LOUGHEED—You cannot amend the Bill to affect its appropriation or its management: that is clearly laid down in May. You are limiting or restricting the appropriation, which is proposed to be made by the Bill. You propose restricting the management of the fund which is voted for a particular class.

Hon. Mr. BELCOURT—No.

Hon. Mr. LOUGHEED—You designate a class of employees to whom this appropriation shall be paid, inconsistent with the existing provisions of the Act.

Hon. Mr. BELCOURT—I take issue, directly, with my hon. friend. There is absolutely nothing of the kind. There is no difference between requiring that a person who may be appointed shall speak the two languages, any more than that he should be a good penman, or should know shorthand or typewriting.

Hon. Mr. LOUGHEED—You could not amend it along that line.

Hon. Mr. BELCOURT—I take direct issue with my hon. friend. There is no question affecting the money end of the Bill. I am not prepared to argue the point at length, but the proposition is so clear to me that it needs no argument.

Hon. Mr. CHOQUETTE—I quite agree with my hon. friend from Ottawa. Surely we could say that no person shall be employed who is not a British subject.

Hon. Mr. LOUGHEED—No, you could not do that.

Hon. Mr. CHOQUETTE—I ask that the matter be allowed to stand until to-morrow. It is a very important question, and I did not expect that it would come up to-day; I was under the impression that it was the second reading of the Bill that was fixed for to-day.

Hon. Mr. POWER—There is another point to which I should like to direct the attention of the House. Every one knows that an essential of an amendment is that it shall be relevant to the substance of the Bill. Now this Bill deals with just one point, and that is the pay of the clerks in the city post offices and the offices of the Post Office Inspector, Superintendent of Railway Mail Service, and Money Order Exchange office—it deals with nothing else. The hon. gentleman from Ottawa has given the very strongest reason for taking the view that I do; the hon. gentleman says that the amendment has nothing whatever to do with the money part of the Bill. Well, there is nothing else in the Bill but money, and consequently the amendment which the hon. gentleman has undertaken to move is out of order, because it is not relevant to this Bill.

Hon. Mr. THOMPSON—If the amendment is to stand until tomorrow, there should be another amendment, that New Brunswick shall be taken out of that.

The SPEAKER—The question is on the point of order.

Hon. Mr. CHOQUETTE—I move that the point of order and the amendment stand until tomorrow and we can look into the matter.

Hon. Mr. POWER—No.

Hon. Mr. CHOQUETTE—I ask the hon. leader of the Government to grant my request.

Hon. Mr. LOUGHEED—I have no objection.

The order was allowed to stand until tomorrow.

F. N. BURT COMPANY PATENT BILL.

THIRD READING.

Hon. Mr. KERR moved the third reading of Bill (A3), An Act respecting certain patents of the F. N. Burt Co. Ltd.

Hon. Sir MACKENZIE BOWELL—It would be well if the promoter of the Bill would give the Senate some idea of why these gentlemen are asking for renewal of these patents. It has been the practice of the Senate to grant almost every application of this kind, no matter what length of time may have elapsed between the granting of the patent and the payment of fees, to give them a monopoly of the patents in the country. I should like the honourable gentleman to set me right if I am wrong, but I understand the renewal of these patents is sought by some gentlemen who are and have been for some time, carrying on business in the State of New York. They allowed their patents in this country to lapse for a number of years. In the meantime some enterprising manufacturers in the city of Toronto established an industry and have been carrying it on for some time. By their industry they have created a market for the sale of this particular article in Canada. Now these gentlemen from the United States are applying for a renewal of their patents in order

to take advantage of the enterprise of the Canadians who have created a market for the patented article. Whether under the circumstances the Senate would be justified in renewing their patents is for the House to determine. I have, as a rule, been opposed to the renewing of these patents. In this case the patent was allowed to lapse. Then, as soon as a market had been created for the sale of the article, these gentlemen come in and ask for a renewal of the patent, by which they prevent any person, other than those who have established the industry in Canada, manufacturing the article. It is said that the rights of those parties who are now manufacturing the article are preserved; I admit that to be true, and I admit further that the amendment proposed to this Bill makes it a little more liberal to those who have established the industry in Canada than ordinary; but the granting of the renewal of this patent creates a monopoly of the manufacture of the article to those who hold the patent, and to the one industry that has been established in Canada. I do not think this Senate should be a patent amending machine, though to my mind that is what it has been for a great many years; and it appears that no matter what circumstances are connected with the granting of those patents, and the asking for their renewal, the requests are sure to be granted except in a very few cases. I admit there are circumstances in which it would be proper to grant them. One such case came under my notice, where the money was sent to enable the patentees to continue the industry, but by some means it was lost. Another case occurred where the widow of the inventor has applied for renewal, the fees not having been paid on account of negligence, or perhaps because of the death of her husband. Those are circumstances which should be taken into favourable consideration, but the question before us at present is whether the Senate would be justified in passing this amending Bill.

Hon. Mr. DANDURAND—The question which has been raised by my hon. friend from Hastings (Sir Mackenzie Bowell) is one that we have often heard in this chamber—the propriety of Parliament relieving patent holders from the consequences of their defaults. We have constantly relieved patent holders who have defaulted in paying the patent fee. The present case presents no special difference from the great majority of cases that have come before this House and before the committee. I was present in the committee when this Bill was under discussion and I know what took place there. The petitioners affirmed that they are owners of some 50 odd patents, that they have paid the fees regularly upon those patents, and have carried them along during the term allotted by law,—18 years—and that a year or two ago the special clerk charged with the surveillance of those patents and their renewal left the employ of the company. When the new official was installed there was a removal of the whole of the company's plant to another place, and for this reason there was an oversight in the payment of some two or three fees on some patent. That is the case that was made out before the committee, and was supported by affidavit. There was nothing to controvert those affirmations, and they were deemed sufficient by the committee, although there was a division of opinion. It is for the Senate to say if the reasons given by the petitioner before this Parliament are sufficient, those reasons being as I have just mentioned. Two parties appeared to ask that this petition should not be granted, because they had begun to prepare to take advantage of the lapse of the patent. I am told that one of the parties claimed he had commenced manufacturing; the other contended that he had installed some machinery to take advantage of that invention. The case of the one who had begun to manufacture was covered by the saving clause; in regard to the one who claimed that he had installed some machinery the Committee decided that there should be an amendment which would protect him, and an amendment was proposed, which has been concurred in by this Chamber. The party opposing suggested that we should go one step further. The amendment which had been proposed was to allow the one who had installed machinery the right to continue the installation, and he suggested that we should add 'or commence to install,' and the Committee went that far, and gave him the advantages of the saving clause, because he had commenced to install, machinery. So that the cases of the opponents of the measure were completely covered by the Committee, and the question is purely and simply for the House to decide, on the motion for third reading, whether the reasons given by the petitioners are sufficient—to wit, that through the departure of a high official, the removal of the offices, and the mixing up of the patents that had been covered and on which the fees had been paid—to warrant a revival of the patent.

Hon. Sir MACKENZIE BOWELL—Can the hon. gentleman tell me whether the parties who are applying for the renewal of the patent are the inventors or the purchasers?

Hon. Mr. DANDURAND—That question was not put, and the matter was not sifted.

Hon. Mr. MURPHY—I am a member of the Private Bills Committee, and in that Committee we found, on the division which we had in connection with the Bill, that there was about the same sentiment existing, pro and con, as was shown in this House when the Bill came up on Friday last. I opposed the Bill in Committee, and I have not seen anything that would lead me to change my mind up to the present time. It seems to me that this House is becoming largely a place for the renewal of patents, as well as for the granting of divorces, and since I have been a member of this House and a member of the Miscellaneous Private Bills Committee, almost one-half of our work has been the renewal of patents. Some of these patents renewal applications were meritorious, and some of them were otherwise. It ought to be clear to every member of the House that it is about time that this should cease. No member of the Senate will refuse, under exceptional circumstances, to renew a patent, but there should be exceptional circumstances before we grant a renewal. Look at the merits of this case. A firm in Toronto had been manufacturing counter check books for some twelve years. They were not the inventors. They bought the patents and manufactured under those patents. They had this monopoly and levied toll on it from one end of Canada to the other. I have paid toll to them for a number of years. This New York company has bought out the interests of the Canadian firm, and has since proceeded under their patents to take up the manufacturing of these counter check books, which they pass over to them. They are a business concern, they were a foreign concern before coming to this country, and they have clerks and book-keepers and men to look after their work. If they allowed their patents to run out, that is their business. As a business concern, if their clerks or book-keepers make a mistake, they should take the consequences; those patents should not be renewed in order to allow this concern to levy the same toll which they have levied for the last twelve years. It will be a happy release to the people of this country who use these counter check books, when we have other firms manufacturing them. The exceptional circumstances in which we could renew, to my mind, are where a man who holds the patent dies, and the widow, from the confusion that ensues, and from not being used to the business, allows the patent to lapse. That is a meritorious case. Another meritorious case would be where a foreign inventor has a patent in this country, and has a solicitor looking after it, and through no fault of his, the solicitor in this country allows it to lapse. To refuse in that case would be doing an injustice. I contend in the present case there is no valid reason why the patent should be renewed. The fact that we have renewed these patents in a haphazard way right along, and that they are increasing in number, is no argument in favour of renewal, but to my mind is a strong argument against it. We have no right in the premises to pass the third reading of the Bill. It is in the public interest that this patent should not be renewed and I move in amendment, seconded by the hon. gentleman from Middleton (Mr. Ross), that this Bill be not now read a third time, but that it be read a third time this day six months.

Hon. Mr. KERR—Before the amendment is put I should like to restate the case, so far as the applicant is concerned. This firm carries on its business at Niagara Falls. They own these patents. The patent in question is among a number which they own; the only patent which they are asking for renewal is the one particularized in the Bill. By a pure slip on the part of one of their employees the patent was not renewed. It had been renewed for the second term, and the renewal should have been effected for a third term. Under the circumstances, without anything more being stated, I could refer to a score of cases in which this House, when they were satisfied of the bona fides of the application, have approved of the renewal of patents. They put in saving clauses that those who have commenced to manufacture, since the expiry of the patent, or prior to the passing of the Act, were to be protected—that was a reasonable provision. In this case they have gone further and provided that although no one firm may have manufactured the patent yet in this country—the patents are still dormant in that sense—yet if any firm have commenced to install machinery for the manufacturing, then their rights are protected. The people who make their representations through the hon. gentleman from Belleville (Hon. Sir Mackenzie Bowell) would be largely benefited, if they

could only see it, by the patents being preserved, because it would prevent others from manufacturing in competition with them. However, that is no reason why the patentee should not be protected as well as the other man. Both sides will be protected by the passing of this Bill. Such course would be consistent with the course we have adopted in the past where a case of that character has been presented. The protection which is provided in this amending clause is greater than any that has been granted before. It seems to me under these circumstances that the Senate can hardly play fast and loose in these matters and refuse to-day to grant an application which has been granted half a dozen times during the session. You cannot make fish of one and flesh of another. The Senate should pass the Bill in order to preserve consistency; until something in the shape of a rule is adopted, by which these extensions are not to be allowed, it is only fair to the applicants to grant them. Mr. Fetherstonhaugh, who represented the petitioners before the committee, investigated the matter carefully and satisfied himself that he was entirely within the practice and rules adopted heretofore by the Private Bills Committee; acting on that advice this application has been made. Under these circumstances I hope the Senate will be consistent.

Hon. Mr. DAVID—For the reasons given by the hon. member in charge of the Bill and the members of the committee, we came to the conclusion that it would be unfair, in view of the renewals which have been granted so many times since I have been a member of this House, to refuse to give these parties the right to which they are entitled. In view of the fact that we gave to the companies who came before us all the protection that they might require to continue the manufacture, the hon. members of this House will do justice in passing the Bill and voting against the amendment.

Hon. Sir MACKENZIE BOWELL—I do not know whether I understood clearly the reference made to myself by the hon. gentleman from Toronto. I understood him to say that I was acting for somebody else. I wish the Senate to understand distinctly that I know neither those who are claiming the right to the renewal of the patent, nor the parties who are interested, as having established the industry in Canada. It is true that I was furnished by the firm with a letter explaining their position, because I suppose they knew that I have generally been opposed to the granting of these petitions. That is all I know of the applicants. I am not acting for the patentee nor for those who are opposing the application; I am acting from what I consider the serious principle involved in the continual granting of these petitions. The only reason my hon. friend, who has just spoken (Hon. Mr. David), has advanced why this patent should be renewed, is because we have been continually passing similar Bills for years past. I admitted that fact when I spoke before; I know we have been in the habit of doing it, and doing it irrespective of the merits of the cases that have been brought before us. If that is to be our principle of action, I do not think it is necessary in future that we should give any consideration at all to the matter, further than to allow some member to introduce a Bill for the renewal of a patent, furnish it to the Committee—then we adopt the report. If my information is correct the Committee carried this Bill by only one vote, and the fact that there is only one of a majority in favour of it shows at least that some members of the Committee took the same view of the question as I take. I am not prepared to adopt my hon. friend's opinion, however much I may respect him, that because we have been doing wrong for 10 or 15 years, we should continue to do so.

Hon. Mr. BOYER—Every time this question of patents comes before the Private Bills Committee, it is a source of endless discussion. Ever since I became a member of the Committee we have renewed patents for the most trivial reasons—childish reasons.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. BOYER—Somebody trusts an attorney with the payment of the second or third fee; Mr. Brown or Mr. Jones or Mr. Smith forgets to send the fee; then the Committee is held responsible for renewing a patent which very often costs a great deal of money to renew, and is perfectly valueless. According to my experience in the Private Bills Committee, of the patents we have so far renewed there were only three that deserved renewing. One case was that of a widow whose husband died leaving a very valuable patent; she did not know anything about the second payment, and the Committee very readily renewed it. The second case was that of the Dominion Paint Company whose building was burned; they could not manufacture within 12 months, and stood the risk of losing their

patent; the Committee also renewed it very willingly. In the present case the reason we were given was a change of manager, and the new man forgot the renewal of the patent. I made the remark in the Committee that the first duty of the manager was to see that the property of the company was properly protected, and that if these patents were worth any money they were certainly worth the while of the manager to protect them. Why does not the Government pick up the suggestion that was made at the Committee the other day by the Deputy Minister of Agriculture, who is Commissioner of Patents, to change the law, and require only one payment, as they do in every other country? In the United States they are never put in the same predicament that we are, of quarrelling over such a trifle as the renewal of a patent; they charge $35 for the full term, while we charge $20 for six years, $20 for the next six years, and $20 for the last six years. It would require a very small amendment to the law to make it $35 for the full term of the patent, and we would do away with all this quarrelling, and with a great deal of unnecessary business, particularly, we would save a great deal of money to those applying for these Bills. It would have cost the Burt Company $20 to renew this patent; how much will it cost them now to get this legislation?—$200 to Parliament, $40 or $50 for printing, besides attorney fees, &c. If the government would only pick up the suggestion, there is time yet to amend the law; it is just a paltry amendment; it would carry easily; and we would do away with all this unnecessary legislation.

Hon. GENTLEMEN—Hear, near.

Hon. Mr. JAFFRAY—I quite agree with the hon. member from Belleville (Sir Mackenzie Bowell) that the Senate too readily renews patents that have been allowed to lapse. The best argument that this should be put a stop to is that it is so frequently and so readily done. In this case the patent was allowed to lapse because it was not considered worth continuing until after the parties who are now using it took it up, and made a success of it. Then the patentees wanted to have it renewed. So far as I understand the merits of the question, they do not deserve a renewal.

Hon. Mr. DANDURAND—Does the hon. gentleman refer to the present case?

Hon. Mr. JAFFRAY—Yes.

Hon. Mr. DANDURAND—My hon. friend is in error. No one started in ahead of this company.

Hon. Mr. JAFFRAY—The patented article is now being manufactured in the country.

Hon. Mr. DANDURAND—We have covered the case of those who are using it by a saving clause.

Hon. Mr. CHOQUETTE—In the Private Bills Committee I opposed the renewing of the patent on the principle that, the parties having failed to pay the fees, did not deserve to have it revived. On the other hand, there is a saving clause in the Bill to protect the present users of the patent, and I do not think it is fair now, because in the past we have renewed patents on trivial grounds, to say that we will refuse this application. I would request my hon. friend to withdraw his amendment. What was said in Committee and what has been said here tonight will serve as a notice to the public that they must not expect Parliament to renew charters, under such circumstances hereafter, on the general principle, that when a patent has been allowed to expire it should not be revived. For my part, though I opposed this Bill in Committee on general principle, I shall vote for the renewal in this case. I shall oppose such applications in the future.

Hon. Mr. BEIQUE—It seems to me this is a question which can be debated without any feeling of soreness. I have been a member of the Private Bills Committee for several years and the policy which has been followed heretofore has been to grant relief if the applicant established, under oath, the fact that his patent was allowed to lapse by accident. It seems a fair rule, and one which should be applied to all cases. I was not present on the Committee when this Bill was considered, but I am informed that it was established by affidavit that the patent was allowed to lapse through accident. The applicant had a number of patents which were expiring, and which were renewed in time, but through an accident one of the patents was overlooked. Why should we single out this individual patent, and refuse to apply the rule which has been invariably followed in the past, and with good reason? The patent owner is punished enough for his failure to renew his patent in time. He is put to an expense of

several hundred dollars for parliament's fees, and legal fees, in order to get this legislation. Therefore, under the circumstances, I hope, if only for the purpose of being consistent, that this House will pass the Bill.

Hon. Mr. ROSS (Middleton)—When did the patent lapse?

Hon. Mr. KERR—In January, 1913.

Hon. Mr. BEIQUE—And when was the application made?

Hon. Mr. KERR—This year.

The members were called in and the Senate divided on the amendment which was rejected by the following vote:—

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The Bill was then read the third time on the same division reversed, and passed.

INDIAN ACT AMENDMENT BILL.

PETITION READ.

Hon. Mr. LOUGHEED moved the second reading of Bill (114), An Act to amend the Indian Act.

He said: This Bill proposes making certain amendments to the Indian Act. They are not of an important nature. They are chiefly along the lines already legislated upon. We propose asking that additional powers be given to the Governor in Council for the establishment of industrial schools. That is to say, declaring any school or institutions where children are provided with board and lodging as well as instruction, to be Indian schools, where the circumstances warrant that being done. The Bill also proposes giving additional powers to the Governor in Council to take land under location tickets, or otherwise, for school purposes. It also proposes dealing with the administration of Indian estates.

Hon. Mr. McSWEENEY—Are those new sections?

Hon. Mr. LOUGHEED—They enlarge powers already to be found in the Act. There is, however, one important section, and that is giving to the Governor in Council additional power as to the compulsory sales of Indian reserves near cities, towns and villages. The present law requires that the Government can only act where a reserve is adjacent to a municipality of at least 8,000 population. This proposal wipes out that restriction, and permits the Governor in Council to act where the reserve may be in the immediate vicinity of any community. This is surrounded by every safeguard, the matter being referred, in the first place, to the Exchequer Court, which court will prepare a report, and then submit it to Parliament. The Bill also makes provision for the adoption of sanitary arrangements on Indian reserves, and for the prevention of selling immature live stock—an abuse which has prevailed upon nearly all the reserves. There is also a restriction as to Indian dances. It has been found that the engagement of Indians in those dances is demoralizing, and it is proposed to restrict those as much as possible.

Hon. Mr. WATSON—The tango?

Hon. Mr. LOUGHEED—Not only the tango, but other modern, as well as ancient dances. I therefore move the second reading of the Bill.

Hon. Mr. BOSTOCK—I have listened to the explanation of the leader of the Government about this matter, and there is one question that occurred to my mind with regard to what is clause 6 of the Bill. I hardly see why it is necessary to enlarge the legislation under that matter, at any rate as far as British Columbia is concerned, in view of the action that has been taken there, according to a return which was brought down to the House this session, in regard to the Kitsilano Reserve in Vancouver. On looking through the papers with reference to the action that was taken, a very curious condition of things seems to have arisen. It was always supposed that the Indians were under the control and guardianship of the Dominion government,

and that no action could be taken to deal with the Indians, or to remove them from the reserve, or to come to an arrangement with them to get off a reserve, without the sanction of the Indian Department of this Government; but a very curious state of affairs seems to exist, according to this return, with regard to this Kitsilano reserve. In this return the first letter appears from the Inspector of Indian Agencies there, calling attention to the fact that the Hon. Mr. Bowser made a statement in Vancouver on the 8th of April, 1913, at a public meeting which was held at Ashley's Hall, when he said, 'over a quarter of a million dollars has been divided into 23 separate payments of $11,250, each to be paid by the Provincial Government to the Indians for the purchase of the Kitsilano reserve of eight acres. The transaction took place at the offices of the Canadian Bank of Commerce. The sale of the reserve being completed, an eye-sore and hindrance to the development of the city is removed. The Indians had arranged to vacate the reserve at once, and most of them would go to the reserve at Squamish. The Government will now consider how best to utilise the property'. That apparently was the first announcement that was made to anybody, that this question was being dealt with. Thereupon the Inspector of Indian Agencies wrote to the Indian Agent and asked him what information he had about this matter. That letter was written on the 9th April, and the Indian Agent wrote on the 10th April to say he knew nothing about it. Then on the 11th of April the Inspector of Indian Agencies writes again to the Indian Agent and says:—

Inspector's Office,
Victoria, B.C., April 11, 1913.

Sir,—I beg to acknowledge the receipt of your letter of the 10th instant in reply to mine of the 9th dealing with the reported settlement between members of the Provincial Government and certain of the Squamish Indians, for the sale of the False Creek Reserve, without the consent of the department.

In reply I beg to state that as this settlement was made without consideration as to the provisions of the Indian Act dealing with the manner in which Indian lands may be surrendered (see section 49), it is quite possible that the Department of Indian Affairs or the Parliament of Canada may not see their way clear to ratify the agreement.

Although the settlement of the Songhees reserve in this city in 1911 was dealt with by the Provincial Government in a similar manner as that reported in the case of the False Creek reserve, an Act of Parliament at Ottawa passed to make the settlement legal, and then it was necessary for a surrender to be taken from the Songhees tribe in the usual manner.

The False Creek reserve, is, however, in an entirely different position from that of the Songhees, for at the time that this settlement was made the only method of getting a surrender of any Indian reserve was by applying section 49, and the Songhees were unwilling to give up their surrender without knowing in the first place just how much money they were to receive.

To overcome the obstacle of first obtaining the consent of the Indians for the surrender of the reserve surrounded by or contiguous to, towns, or cities in the future, the Parliament of Canada in the month of May, 1911, amended the Indian Act by enacting section 49a. This amendment was made after the settlement of the Songhees reserve, and therefore you will see that it appears to have been quite unnecessary for any settlement of the False Creek reserve to have been made along the lines reported.

As Indian agent having supervision over the land of the Squamish tribe, you should report this matter in full to the department, giving them all the information you have on the subject, either private or official, for they will consider that you should have been more or less conversant with the negotiations being carried on between the Indians and the outside parties. This should be done at the earliest possible moment in order that the department may be properly informed.

Your obedient servant,
W. E. Ditchburn,
Inspector of Indian Agencies.

The Inspector of Indian Agencies reported to the Secretary of the Indian Department, and called attention to a notice published in the British Columbia Gazette, which reads as follows:

Department of Lands.
Notice of Reserve.

Notice is hereby given that a certain portion of land officially known as Burrard Inlet Reserve No. 6 and commonly called Kitsilano or False Creek reserve, situated on the south side of False Creek and arm of Burrard Inlet, and containing sixty acres more or less, is reserved from any entry or alienation under the Mineral Act, the Placer Mining Act, the Coal and Petroleum Act or the Land Act.

Robert A. Renwick,
Deputy Minister of Lands.
Victoria, B.C., April 11, 1913.

Then there is another letter from the Indian agent reporting to the department. This is headed:

Indian Office,
New Westminster, B.C., April 16, 1913.
Hon. Robert Rogers,
Ottawa.

On the invitation of Provincial Government attended them *re* (False Creek), Kitsilano Indian reserve, and upon explanation of terms consider amount offered Kitsilano Indian Band for the individual holding, and rights fully adequate.

With reference to the above telegram and subsequent events in connection with the False Creek Kitsilano Indians, I beg to report as follows: The Provincial Government in explanation of the terms, gave me to understand that the amount agreed on with the Indians was to be paid to them for leaving (Kitsilano) False

Creek Indian reserve, and that the transaction and the question of the land value of the aforesaid reserve would be adjusted later between the Provincial Government and the Department of Indian Affairs.

Since that time I am informed by the Indians, that the members of (False Creek) Kitsilano band have received from the Provincial Government the sum of $218,750, which amount has been distributed amongst them as follows: Nineteen members have received $11,250 and one got $5,000. They have all left (False Creek) Kitsilano reserve, most of them going to their reserves at Squamish river, where for years they have lived during the summer months, while a few of the old people have gone to live with their children at Musqueam, Coquitlam and Capilano.

On several occasions I have advised these Indians as well as other members of the Squamish band not to discuss with any person the sale of the Indian reserve, or make any bargain in regard to the same, with any person whatever, and I was greatly surprised indeed when I was informed by the Provincial Government that the Indians had fixed a price, and signed an agreement to that effect.

In conclusion I may say that I held a meeting of the Squamish Indians recently, at which representatives of all their various tribes were present and the Indians expressed themselves as being very well satisfied with the agreement made between the (False Creek) Kitsilano people and the Provincial Government.

Owing to the impression conveyed that negotiations in regard to this matter were being carried on directly with the department, I delayed my report until this date.

Your obedient servant,

Peter Byrne,
Indian Agent.

I would point out that in a letter from the Inspector of Indian Agencies, dated 26th April, he took issue with Indian agent and stated:

The amount paid to the Indians, in consideration of their giving up this reserve, namely $218,750, appears to be extremely small, so far as land values in that portion of the city of Vancouver are concerned. At present, without going into that matter very fully, it is impossible to state definitely as to the true value of the reserve. However, it would not be very wide of the mark to say, at least, it is worth ten times the amount paid to the Indians.

Then there is a further representation made to the department that a number of the Indians have not been settled with in this matter. It is pointed out in a report of the Indian agent, addressed to the department, that the Provincial Government has now an officer stationed at False Creek reserve; he informs me that his instructions are not to allow any trespassers on the land, so that it is a very peculiar position. The Indians apparently had been paid a certain sum of money by the Attorney General of British Columbia without taking any proceedings, or advice, from the Department of Indian Affairs, and the Provincial Government apparently has taken possession of this reserve; it would seem they have no right there. They have no right to be on the reserve any more than anybody else. They have paid the money over to the Indians, and put the Indians off the land. They have pulled down or burnt up their Indian houses and put an officer there to keep them off the land, but as far as I can see from that correspondence they have no more right there than anybody else. It is a matter the Government ought to take up and deal with, but if that is the kind of thing that is going to be done by the Attorney General of British Columbia with regard to the reserve, I do not see any use in extending the provisions of clause 6.

Hon. Mr. LOUGHEED—The legislation proposed in section 6 will probably prevent a repetition of that which has recently arisen, and to which my hon. friend has just referred. It provides machinery by which the Government, of its own motion, may step in and expropriate a reserve, where it will be in the interest of the Indian that it be done. My hon. friend will observe, from the proposal that will be found embodied in this section, which is rather lengthy, that if machinery of this kind had been set in motion, when there was a feeling amongst the Indians on the Kitsilano Reserve that the reserve should be sold, this Government could have intervened, as the ward of the Indians, and expropriated the reserve, and protected the interest of the Indians to a greater extent than has been done. It would have been manifestly in the interest of the Indians, in view of the fact that the disposition of the Indians was to deal with the provincial authorities, that this Government should have intervened and have acted on their behalf, by way of expropriating the reserve. A full inquiry could have been made, or will hereafter be made, as indicated by this section, by the Exchequer Court, as to what the interest of the Indians would be, and that interest can hereafter be protected to such an extent as to be removed beyond hostile criticism.

Hon. Mr. BOSTOCK—The statute of 1911, chap. 14, which amended the original section 49, is the statute that is being amended now, and was made to apply in the case of a city with a population of 8,000 people. Vancouver had a great many more people than that, and this reserve comes within the bounds of Vancouver today.

Hon. Mr. LOUGHEED—That clause is not so comprehensive as the draft section.

Hon. Mr. BOSTOCK—This section is very much wider as regards the reserve, but the machinery is very much the same.

Hon. Mr. YOUNG—What has been the procedure in the past with reference to moving Indians off a reservation? Has it not been by vote of the band?

Hon. Mr. LOUGHEED—I could not say as to that. So far as I am aware, the Dominion Government has interevened, so far as inion Government has intervened, so far as Indians. The government has induced them, where it would be in their interest that they should move off a reserve, and has made other provisions for a new reserve.

Hon. Mr. YOUNG—Would this apply to St. Peter's reserve in Manitoba?

Hon. Mr. LOUGHEED—I could not tell you.

Hon. Mr. YOUNG—My recollection of the procedure in the case of the St. Peter's reserve is that a vote of the band was taken.

Hon. Mr. LOUGHEED: Yes, they could surrender the Indian title.

Hon. Mr. YOUNG—By a majority vote of the band.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. WATSON—Not under this legislation.

Hon. Mr. YOUNG—The practice, so far as Manitoba is concerned in the past, has been that no Indians were removed from a reservation without the consent of the majority of the band. By clause 6 of the Bill the necessity for the consent of the band is entirely wiped out. If hon. gentlemen will look at the amendment they will see that upon the initiative of the attorney general proceedings may be taken, regardless of whether the Indians are a consenting party or not. The relationship therefore between the wards of the nation and the government is entirely changed to an arbitrary position on the part of the government. I refer to sub-clause 4. Whether the Indians wish to move or not, if the courts find it expedient that the band should be removed from the reserve or any part thereof, the government shall proceed to ascertain the amount of compensation. So that whether the Indians consent or not, if the court finds it expedient, then the government has the right to put the Indians out and the reservation is disposed of, as provided later on in the other sub-clause. Now clause 7 provides that the Indians shall not be removed until another

Suitable reserve has been obtained and set apart for the Indians.

Who is to decide whether the new reserve is a suitable one or not? Is that to be decided by a majority of the Indian tribe, that has been ousted from their reservations, or is it to be decided by the officers of the Indian Department?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. YOUNG—Possibly, under some circumstances this might involve very harsh treatment of our Indians, and a violation of the treaties entered into years ago. True, this may not be put in force, except where a reservation, through the advance of civilization, happens to be near a city or town, but that has happened to be the case with some reserves. It would appear to be rather drastic on the part of the government to oust the Indians from their reservation, whether they desired it or not. I admit it might not be a disadvantage to the Indians, and it might be an advantage in the settlement of the country, if the Indians were removed. Still it is a very radical change and should receive a good deal of consideration, because it might lead to friction sometime which would be unpleasant.

Hon. Mr. LOUGHEED—I may say to my hon. friend and to the honourable member from Kamloops that there were exceptional circumstances attending the purchase of the Kitsilano reserve. My hon. friend is very much more familiar with the facts in that case than I am, and I do not speak with authority on the subject, but my recollection is that the Indians, before surrendering that reserve or dealing with the Provincial authorities, insisted that the whole of the purchase money should be distributed amongst them. Hon. gentlemen will probably know that the reversion of Indian reserves in British Columbia is in the Provincial government; that the lands revert to the provincial Government when the Indians disappear.

Hon. Mr. BOSTOCK—That is not settled.

Hon. Mr. LOUGHEED—That is the contention.

Hon. Mr. YOUNG—That does not arise in Manitoba?

Hon. Mr. LOUGHEED—No, but under the Indian Act half the purchase money is paid to the Indians and the other half is invested. The Government of Canada, acting as their trustee, retains half the proceeds

of the purchase of any reserve which may be sold. Now the Kitsilano Indians, as I understand, absolutely refused to consider a surrender of this reserve to the Provincial authorities, unless the whole of the money was paid over to them. The Government of Canada refused to assent to any such proposition as that, but notwithstanding, the Provincial authorities went on and negotiated with the Indians and the whole amount of the purchase money was paid over to them.

Hon. Mr. BOSTOCK—Yes, the whole of the purchase money was paid to them, but they did not act through the officials of the Department in any way. They ignored the Department.

Hon. Mr. LOUGHEED—They assumed to be a law to themselves in the matter. Under the provisions of this clause this could not possibly arise, because if the Dominion Government saw there was a disposition on the part of any Indian tribe to dispose of their reserve in such a manner as was done with the reserve in question, the government could intervene, expropriate the reserve, pay half the proceeds of the sale to the Indians and invest the other half, irrespective of any action the Indians desire. It will be admitted, in the light of what has arisen in British Columbia, not only in the case of the Kitsilano reserve, but in connection with other reserves, that it is desirable the Indians should be protected against themselves, to the extent set forth in this Bill.

Hon. Mr. YOUNG—When we come to the Committee of the Whole stage, could my hon. friend find out whether this amendment will apply to the St. Peter's reserve.

Hon. Mr. LOUGHEED—Yes, I shall have pleasure in doing so.

Hon. Mr. BEIQUE—The Bill is in the right direction—Indians in a reserve should not be allowed to retard the development of the country. The Bill appears to be vested with the proper safeguard as far as the removal of the Indians is concerned, but I would suggest to the hon. leader of the Government in this House to examine the Bill and see whether it should not be amended in this direction,—that the Exchequer Court should also pass upon the new location, as being a suitable reserve, in place of the one which is taken away from them. As the hon. member from Killarney (Hon. Mr. Young) stated, clause 6 subclause 7 provides:

The Indians shall not be removed, or the reserve or any part thereof be sold, leased, or in any other way dealt with, until another suitable reserve has been obtained and set apart for the Indians.

But there is no machinery provided at all.

Hon. Mr. LOUGHEED—That is done by the Indian Department.

Hon. Mr. BEIQUE—It is done by the Indian Department, but if it is deemed advisable to provide for machinery to take away the Indians' property from them, the same machinery should apply to the choice of another. This is only fair; we are taking away properties from a whole class of people of this country, and they are entitled to all the protection required. Their rights must make way for the development of the country, but this should only be accomplished by making sure that they will be fully protected by being given a reserve equal to the one taken from them. If the first process is not to be left to the Indian Department,—if it is to be passed upon by the Exchequer Court of Canada—logically the other portion should likewise be reported upon by the same authority.

Hon. Mr. YOUNG—But section 6 provides for other matters in which the Indians have nothing to say. However, that can be dealt with in committee.

The motion was agreed to and the Bill was read a second time.

DOMINION LANDS ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved second reading of Bill (126), An Act to amend the Dominion Lands Act.

He said: This Bill proposes to make certain amendments to the Dominion Lands Act. The proposed amendments are chiefly along the line of enlarging the provisions already in the Act respecting homesteads and preemptions. It proposes dispensing with the collection of interest upon preemptions, which I might say has been strongly urged by the Minister of the Interior for sometime past, particularly with relation to those lands of semi-arid character, included in the preemption provisions of the Act which was passed some five or six years ago. It also makes provisions as to the sale or lease of lands for water supplies and water powers; also as to the lease of school lands; also as to additional assignments, so as to permit rights of way for

railways being more easily obtained; also a new provision is introduced by which stock may be placed upon the lands, which will supersede the duties of cultivation. It is felt, particularly upon lands not so suitable for agriculture as to be found in other districts, that stock may be placed in lieu of cultivation to the advantage of all concerned. This will contribute or conduce very largely to the promotion of mixed farming in the Northwest. None of the amendments are of a radical character, but I shall be very glad to enter upon any more lengthy explanation when we go into committee.

The motion was agreed to and the Bill was read a second time.

DOMINION FOREST RESERVES ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (137), An Act to amend the Dominion Forest Reserves and Parks Act.

He said: The object of this Bill is to establish a new forest reserve in the province of Saskatchewan, adding some 6,000 square miles to the forest reserves of that province. These lands have been inspected by the officials of the Department, and are not regarded as suitable for lands coming within the homestead provisions of the Dominion Lands Act. These lands will be peculiarly suitable for forestration, and reforestration. This is about the entire object of the Bill.

Hon. Mr. BOSTOCK—Has my hon. friend some maps of this?

Hon. Mr. LOUGHEED—Yes, I placed the map on the table so that when we go into Committee the House will have the opportunity of seeing what the reservations are.

The motion was agreed to and the Bill was read the second time.

CANADA SHIPPING ACT AMENDMENT BILL.

SECOND READING POSTPONED.

Hon. Mr. LOUGHEED moved to discharge the order of the day for the second reading of Bill (168), an Act to amend part 6 of the Canada Shipping Act and place it on the order paper for Friday next.

Hon. Mr. CHOQUETTE—I wish to give notice, in case it would be necessary—about which there is some doubt—that I will move that the following be added as clause 4:

No person, unless they can speak and write both official languages of this country shall in the province of Quebec, after the 1st of January, 1915, be appointed, or shall act as wreck commissioner or assessors to investigate maritime accidents, or act as superintendent of the pilots.

The motion was agreed to and the second reading postponed until Friday next.

JOINT TERMINALS AT WINNIPEG.

SECOND READING.

Hon. Mr. LOUGHEED moved second reading of Bill (181), An Act respecting the entrance of the Grand Trunk Pacific Railway Company and the Canadian Northern Railway Company into their joint terminals at the city of Winnipeg.

He said: This Bill is to ratify the agreement between the Minister of Railways and Canals, the Grand Trunk Pacific, and the Canadian Northern Railway Company, in pursuance of an agreement entered into in April, 1911.

The motion was agreed to, and the Bill was read a second time.

SECOND READING.

Bill (B-3), An Act for the relief of Frederick Dwight Chesley.—Hon. Mr. Derbyshire.

CIVIL SERVICE ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. THOMPSON moved the second reading of Bill (B-3), An Act to amend the Civil Service Amendment Act, 1908, as respects the Senate of Canada.

He said: This is not at all a controversial matter. When the Bill was introduced my attention was called to the fact that there might be some question as to our right to amend the Civil Service Act of 1908, on the ground that it is a money Bill. I brought the matter to the attention of the Law Clerk of the House and he told me that he had no doubt that the Senate could deal with this matter if they chose to do so. On reference to Bourinot I find that he deals with this point as follows:

It often happens that Bills are introduced with certain clauses providing for salaries or other charges on the public revenue, and in that case the Bill may be introduced directly on motion, while the clauses in question (which should be distinguished by italics or brackets, are considered in the shape of resolutions in committee, and when agreed to, referred to the committee on the Bill). 'Such clauses,' said Mr. Speaker Brand on one occasion, 'form no part of the Bill as originally brought in, but are considered as blanks.

This Bill was introduced in the House in 1908. The proceedings will be found at page 535 of the Journals of the House of Commons. It shows that the Bill, when introduced in the other House was introduced as an ordinary Bill and the portions referring to matters connected with salaries were brought in by resolution, when the Bill was committed to the House. Thus, we are able to consider amendments to that Act, and dispose of them. Nothing has disturbed the domestic affairs of the Senate more than questions which have originated under this Civil Service Act of 1908. There has been great diversity of opinion in respect to just what the Civil Service Act did in the way of changing the practice of the Senate. We have had reference to the Minister of Justice and to the Auditor General; we have discussed the question on the floor of the Senate, and have had opinion as to the meaning of the provisions of the Act, which was supposed to curtail the rights of the Senate in respect to matters of a domestic character. So far as I am able to understand the Act, it was intended primarily for the purpose, more than anything else, of bringing the Civil Service under classification, and at the same time under the control of the Civil Service Commission.

In this Act there was a provision made by which the Senate and the House of Commons should be governed by its provisions, to a certain extent. I have never regarded the Act as mandatory to the Senate, nor to the House of Commons, but as supplementary. I have never felt that it was intended to apply in the sense in which inferences are drawn from the Act, to curtail the right of the Senate to deal with domestic affairs. The Act provides that the Speaker and the Clerk of the House shall, in respect of some matters, act in the initial introduction to the House of certain recommendations. If hon. gentlemen will carefully look through the Act they will find there is only one place where the Speaker, or the Clerk of the House and the Speaker, are authorized to make recommendations in respect to appointment. I hold, after careful consideration of the Act, and having discussed the question with the Auditor General, that the only place in this whole Act which refers to this is the section which provides that appointments to positions of messengers, porters, sorters, etc., may be made by the Governor in Council, upon the recommendation of the Deputy head, and accompanied by a certificate of qualification from the Speaker. The whole spirit of the Act is based upon the necessity of the appointment being certified by this commission, appointed for the purpose of examination. The first part of the Act, which refers to the appointment of the commission reads:—

Except as herein otherwise provided, appointments to the position of inside service other than that of deputy head shall be competitive examination, which shall be of such a nature as will determine the qualification of candidates for the particular positions for which they are appointed.

The only exception made to the fact that this commission has the right by examination to select candidates to fill the position, is in the case of where the position requires a technical or specially qualified officer. In that case the Deputy head reports whether the qualifications are technical or otherwise. The Governor in Council may appoint a person to a position without a competitive examination. The Governor in Council may appoint a person on a recommendation that the position is one of a technical character. The Act is a misfit, as regards its application to the Senate. In the House of Commons the recommendation is referred to the Speaker and the Deputy Speaker. The Act of 1878 provides that the Internal Economy Committee of the House of Commons consists of the Speaker of the House of Commons, who is chairman of that committee, and four members of the Government. This committee of the House of Commons is in charge of the domestic affairs of that House, and that fits in with the provisions of this Act. In respect to the Senate of Canada, for forty years all matters having reference to the domestic affairs of the Senate have been left entirely to the recommendation of the committee on Internal Economy, that committe being selected entirely by the Senate of its own motion. The Speaker of this House is not a member of that committee; he has never been a member of that committee. In the question of appointments in the Senate, by the ruling and by the views entertained by His Honour the Speaker, the power of the Senate has been entirely taken from the Committee on Internal Economy, and we are entirely deprived of the right to deal with domestic affairs. We are practically bottled up under this Act, and the Speaker is constituted, with the Clerk of the House, as a cork to that bottle; the Senate cannot move, under the rulings we have had, unless the recommendation originates in that way. His Honour has said that the Senate has not the power to make any appointment that has not been previously recommended by the

Speaker. In its application to the House of Commons, the Speaker there being the head of the Internal Economy Committee, and the committee being appointed by the Government of Canada, they did not change in any respect the attitude of the House of Commons dealing with its domestic affairs. In its application to the Senate it has entirely changed the rights of the Senate to deal with this question; in my opinion it was not the intention of the party who introduced the Civil Service Amendment Act, that it should so apply in respect to the Senate. Believing that the House of Commons recognizes the right of the Senate to deal with its own matters of a domestic character, the House of Commons would in no sense regard this Bill as interference with its rights. I have felt that it would be in the interest of the Senate that we should make this amendment to the Act which would bring back to the Senate the right it enjoyed for forty years, up to 1908, and I am moving the second reading of this Bill with the knowledge and consent of this committee, of which I happen to be chairman. The Committee believe it would best serve the interests of the Senate that this Bill should become law. I have been asked what would be the disposition of the Commons towards this Bill. I cannot think for a moment that the House of Commons would regard it as interfering with their rights. We are simply dealing with a question which is entirely and properly one for the Senate. I was asked if I thought the Bill would pass the House of Commons; the question to my mind is rather an insult than a proper inquiry as to the treatment this Bill would receive in the House of Commons. If, in the relations between the two Houses of Parliament, the constitutional inherent rights of either branch to exercise a control of its domestic affairs should not be recognized in our relation one to the other, I would regard it as an unwarranted interference that would not be conducive to the harmony which should exist between the two branches of Parliament.

Hon. Mr. DAVID—If the hon. gentleman's Bill is adopted what law will apply?

Hon. Mr. THOMPSON—There has been no amendment. There has been no repealing of the powers of the Senate. In my judgment the powers of the Senate are today just as they were prior to the passing of the Act. I have never believed that it would interfere with the rights of the Senate. In a sense the Civil Service Act makes the Senate of Canada simply a department of the Government, but in speaking to the Auditor General within the last week on the subject of the powers of the Senate, he told me that whereas the control of a department, by the provisions of this Act, is vested in the minister and the deputy minister, in relation to an appointment they might make to the department, when by a resolution of this House the Senate made a declaration, this being the highest court of the land it would be law. But for the purpose of covering any objection which might be raised, it is suggested by the Law Clerk that an amendment should be added to the Bill, as is now proposed, that the privileges and rights of the Senate, before the passing of this Bill, are restored.

Hon. Mr. POIRIER—Is that the only authority the hon. gentleman has as to the constitutionality of this measure?

Hon. Mr. THOMPSON—As to what the situation would be if the Bill were passed.

Hon. Mr. DERBYSHIRE—Have you any other authority than the Law Clerk?

Hon. Mr. THOMPSON—No. I have no other authority, but the constitution of the House is governed by the British North America Act. There are no limitations. This is a legislative body with all the powers that pertain to a legislative body of this nature, and as there was no repeal of any of the powers of the Senate when this Civil Service Act was passed, I cannot conceive that it would be necessary to enact what was not repealed by this Act.

Hon. Mr. POIRIER—Does the Department of Justice agree with the views the hon. gentleman holds as to that former Act not applying to the Senate?

Hon. Mr. THOMPSON—We had not any former Act in respect of the Senate of Canada. We were entirely a free body. We were constitutionally an independent branch of Parliament. The Senate of Canada has its separate and distinct constitution, and there has been no statute governing the Senate. The practice of the House of Lords, as it appears through May and these other works, is our chief precedent. So far as the Minister of Justice is concerned, I have not brought this matter to his attention, but it was the Law Clerk of the Senate who stated that there might be some question as to whether there was a repealing of the privileges and practices of the Senate when this Act was passed. There was not any repealing in respect to the House of Com-

mons. It simply fitted into a condition that existed. It fitted into the conditions that existed in the House of Commons, because the power there is exercised by a Committee on Internal Economy, appointed by an Act of Parliament in 1878. In the Senate of Canada there is no Act which in any sense controls the Senate in respect to matters of this character. The Senate of Canada appoints a Committee on Internal Economy; this committee has been in existence for forty years; twenty-five members have entirely managed all matters of internal economy. By the constitution, the Speaker and Clerk are the only committee which arranges for the appropriations necessary for the paying of the expenditures of the Senate. In the other House the Internal Economy Committee appointed by the Governor in Council report to the Speaker. The application is made to the Finance Department of Canada, and the department's approval is obtained before the appropriations are asked for. As far as the Senate of Canada is concerned, there is no law governing this body, other than the practice of the Senate and the practice followed by the House of Lords in England. If in this House the Speaker of the Senate had, by law or practice, been recognized as the chairman of the Internal Economy Committee there would have been no dislocation. As it is now, with an Act such as the Civil Service Amended Act, and the views that are entertained by His Honor the Speaker and other members of the House, the Senate of Canada cannot move until these matters are initiated by the Clerk and through the Speaker. That has caused a good deal of trouble; it has interfered in a measure with the discharge of what is quite necessary, in relation to matters pertaining to the Senate.

Hon. Mr. POIRIER—On broad principles I am entirely in favour of the Bill presented by my hon. friend from Fredericton. Not that I have any special compliments to pay to the Internal Economy Committee for certain appointments it has made during the last fourteen or fifteen years. My objection to the appointments has not been so much concerning the appointees themselves, as to the fact that the cue in some instances was given in another House and subserviently obeyed by this House, which, in my judgment, was a surrender of our rights and privileges far greater than exists now by having the Speaker and Clerk of our House take the initiative. In some instances—I need not and will not instance them— the initiative was given by the authority of the other House and followed here.

Hon. Mr. THOMPSON—No, I do not know that.

Hon. Mr. POIRIER—I am opposed to our abdicating our rights and privileges of appointing our employees, as well as our management of the Senate. I find no fault with the recommendations made by our Speaker and the Clerk, but I object that the power which should rest with us is taken from us. The position of our Speaker here is not similar to the position of the Speaker of the other House. The Speaker of the House of Commons is Chairman of the Board on Internal Economy. As far as the management of the details of the House of Commons and the appointment of its employees are concerned, action is taken by the Board presided over by the Speaker. He is there in company with other members of the Board duly appointed by the Government, and therefore he is not a corporation sole. In this House, whoever the Speaker may be he acts as such. I consider that a relinquishment by us of our rights and privileges. I never was favourable to that part of the law which brings our servants under the Civil Service Act, removing them from our jurisdiction. I shall vote for this Bill but hope that in all future appointments we will regard our dignity and our prerogative, and appoint clerks in the service of this House on their merits and not at the bidding of powers that may be outside of this House. I shall also support this Bill because of the deadlocks which have occurred, and from which nothing very dignified has resulted. We have had here two or three deadlocks, discussed with closed doors, that did not redound to our credit. Therefore, in order that we may regain possession of our ancient privileges and powers, and that we may avoid undignified deadlocks in the future, I hope that this Bill will be carried by this hon. House.

Hon. Mr. MURPHY—In the main I agree with the sentiments of the hon. gentleman who has just spoken. Anything which will relieve the deadlock which has taken place between the Committee on Internal Economy and the Speaker will be welcomed I am sure by every member. I should like to ask the father of the Bill where we will land if it becomes law. Section 19 of the Interpretation Act provides:

> Where any Act or enactment is repealed, or where any regulation is revoked, then, unless the contrary intention appears, such repeal or

revocation shall not, save as in this section otherwise provided——

(a) Revise any Act, enactment, regulation or thing not in force or existing at the time at which the repeal or revocation takes effect.

Now it would seem to me that this Bill repealing the Civil Service Amendment Act lands us nowhere. The repeal of that Act does not revive the Superannuation Act.

Hon. Mr. THOMPSON—There was no special Act.

Hon. Mr. MURPHY: The Act under which appointments were made.

Hon. Mr. THOMPSON—There was no such Act. Officials were simply appointed under the rules of the House. The House of Commons has a special Act respecting those matters, but the Senate has not, and as we repealed no Act, I have not felt that we lost any of the powers we had exercised before. But as I have already said, the Law Clerk has drawn an amendment to add to this Bill restoring all the powers and privileges that the Senate possessed prior to the passing of the Civil Service Amendment Act.

Hon. Mr. MURPHY—I am not a lawyer any more than my hon. friend is, but it has struck me when we pass this Bill we will land nowhere. The very fact of repealing the Civil Service Amendment Act would not revive anything which had existed previously. The rules and regulations of the Senate must have been authorized by some enactment. I should like to have some authoritative statement from some legal members of the Senate, from some better authority than a layman.

Hon. Mr. YOUNG—You will find that in Committee of the Whole.

Hon. Mr. DERBYSHIRE—You will get that later on.

Hon. Mr. MURPHY—We want it now.

Hon. Mr. THOMPSON—There was no repeal of any Act governing the Senate; the Civil Service Amendment Act was not passed for the purpose of taking charge, absolutely, of Senate appointments. The Senate has not observed any part of that Civil Service Amendment Act in respect to these appointments. The only thing to which we have absolutely adhered is the initial matter. The whole object of the Civil Service Amendment Act was that the Civil Service Commission should have charge of all appointments in the department, as well as in the two branches of Parliament. Prior to the passing of the Civil Service Act we had no Act which governed the Senate of Canada in respect to these matters. We repealed no Act, because we had no Act to repeal. Therefore, if we repeal the Civil Service Amendment Act we drop down on our feet, as we were before.

Hon. Mr. MURPHY— As a matter of usage?

Hon. Mr. YOUNG—The Senate was a law unto itself, governed by its rules and the majority.

The SPEAKER: I should like more discussion on the point set forth by the hon. member at the beginning, as to the power of the Senate to initiate this kind of legislation.

Hon. Mr. DANDURAND—I would be very much surprised if any question were raised as to the right of the Senate to deal with its own organization, in matters which concerns its own domestic organization. It seems to me that, if there is a measure that belongs essentially to this Chamber, it would be such a one.

Hon. Mr. BEIQUE—This question was passed upon by this House on a former occasion. While on my feet I would say the Law Clerk has very judiciously proposed an amendment to the proposed Bill. It is quite true that the Civil Service Act of 1908 did not deal with any Act, but it may have repealed rules or practices to which allusions were made, and which governed the matter before the passing of the Act. It would be very proper that the projected amendment be made part of the Bill; there would be no question about that.

The SPEAKER—I may tell you candidly, I have grave doubts as to this Bill. I do not find that the question of our right to initiate such legislation has been discussed at all. As my hon. friend said, if there is a question that should be allowed to be discussed here, it is the question of our prerogatives. I dissent from that. I have the right to decide a question of order, even if it is not raised, but I do not want to decide a question of order before hearing a discussion on the point I suggested.

Hon. Mr. BEIQUE—The course suggested by the Speaker is proper, and as no question of order has been raised, the Chair can very properly raise the question of order; but then the Chair might state the reasons which incline the occupant of the Chair to doubt as to whether this Bill comes within

the jurisdiction of this hon House, and then the question will be opened.

The SPEAKER—I shall open it immediately by saying this, that the Bill now presented for the deliberation of this House amends a money law. If you have not the right to amend a money Bill, have you a right to amend a money law?

Hon. Mr. DANDURAND—I am ready to answer that question, without looking into the constitution of the country, or into the powers the Senate enjoy. I contend that this has nothing to do with the payment of the staff of the Senate; it simply declares by virtue of what law the affairs of the Senate will be managed.

The SPEAKER—The hon. gentleman is under wrong impression. If this law passes, what becomes of the classification? What becomes of the statutory increases?

Hon. Mr. MURPHY—There is none.

The SPEAKER—There is no classifica- under a wrong impression. If this law passes, what becomes of the classification? What becomes of the statutory increases? ruling on the third reading?

Hon. Mr. MURPHY—Hear, hear.

Hon. Mr. DERBYSHIRE—Read it the second time, and then we will consider it.

The SPEAKER—That is the question as I see it; I do not want to decide it immediately. I am putting it in this way—the Senate has no right to amend a money Bill; especially the money clauses of a money Bill. If the Senate has not the power to amend a money Bill, will the lapse of six months give it that power? And has it the right to amend afterwards a money law? I am putting it in that way.

Hon. Mr. MURPHY—I do not think we should lose time over this, if there is any doubt as to its being in order; and in this connection I would ask the Speaker's ruling on the question of order.

Hon. Mr. DERBYSHIRE—Why not read it the second time and get the Speaker's ruling on the third reading?

Hon. Mr. MURPHY—I insist on his ruling whether it is in order or not. It is a money Bill, as far as I know.

Hon. Mr. BEIQUE—The Speaker has very rightly invited discussion of the point, and it deserves to be carefully considered. I move that the debate be adjourned until to-morrow.

Hon. Mr. BEIQUE.

Hon. Mr. DAVID—I second the motion.

Hon. Mr. THOMPSON—What is the debate?

The SPEAKER—Debate on the second reading of the Bill.

Hon. Mr. THOMPSON—I want to understand the nature of the question. It is a question of order now, is it not?

The SPEAKER—There is no question of order; the question is on the second reading of the Bill. Now comes a motion that the debate be adjourned until to-morrow. In the discussion of the Bill the hon. member alluded to the power of this House to pass the Bill, and commenting on the remark of the hon. gentleman I pointed out that an objection may be taken. The motion now is that the debate be adjourned.

Hon. Mr. CASGRAIN—What about the point of order that the hon. gentleman raised?

The SPEAKER—There is no point of order.

Hon. Mr. BEIQUE—I make this motion in order that the point of order may be discussed to-morrow.

Hon. Mr. YOUNG—There is no point of order.

Hon. Mr. BEIQUE—I understand that the Chair intends to raise the question of the point of order.

The SPEAKER—I said that I had grave doubts, and I asked that the point be discussed. In order to give an opportunity of discussing it, the hon. member moved the adjournment of the debate.

Hon. Mr. YOUNG—Without the point of order being raised.

The SPEAKER—Yes.

Hon. Mr. THOMPSON—Before the motion is carried I want to say that as far as I am personally concerned I am not bound up in this resolution whatever; it is not a personal matter. However I do not quite appreciate, unless the point of order is raised, why the debate on the second reading of the Bill itself should be adjourned. I cannot quite understand why this matter could not be brought up on the third reading, or in Committee of the Whole, or at any time. Unfortunately I have to go away to-morrow, and if the debate is to be adjourned I would prefer it to be adjourned until later on.

Hon. Mr. DERBYSHIRE—Make it Tuesday.

Hon. Mr. THOMPSON—That will suit me.

The amendment for the adjournment of the debate until Tuesday was agreed to.

POST OFFICE ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (147), An Act to Amend the Post Office Act.

He said: In moving the second reading of this Bill my hon. friend from Killarney has indicated to me this desire that when this Bill reaches the committee stage it should be sent to one of the standing committees. I however would prefer the Committee of the Whole. I would say, in moving the second reading of the Bill, that it proposes to give the Postmaster General some additional powers to those that he now exercises; chiefly it proposes to give the Postmaster General the power to fix rates on certain mailable matter, other than letters.

Hon. Mr. DERBYSHIRE—The order ought to be discharged.

Hon. Mr. YOUNG—No; I ask that the hon. gentleman give the Bill the second reading to-night.

Hon. Sir MACKENZIE BOWELL—Although I appear as a seconder I do not approve of the Bill, and I am not to be committed to it.

Hon. Mr. CASGRAIN—Before the second reading is carried I would direct attention to clause 8 of the Bill.

8. Letter carriers in the service of the Post Office Department shall be conveyed on every electric railway in Canada, except municipally-owned electric railways, on such terms and conditions and under such regulations as are made by the Postmaster General.

I want to draw the attention of the Government to the fact that the ipse dixit of the Postmaster General would regulate the fares to be charged on electric railways, which are not under the jurisdiction of this Parliament—for instance provincial railways. Now, we have utilities commissions in some provinces to regulate that very point. There should be some sort of appeal, so that if there was no agreement between the companies and the Postmaster General, surely it would be right to amend this clause by letting it go to the Railway Board or other body.

Hon. Mr. LOUGHEED—The object of the hon. gentleman from Killarney in sending the Bill to one of the standing committees is to permit of those interested in the matter appearing before the committee and of making such representations as they may desire.

Hon. Mr. CASGRAIN—My attention has been drawn to these clauses before now, and I would ask when the Bill will be before the committee, so that those people who object to it may appear?

Hon. Mr. LOUGHEED—The Chairman of the Committee could notify them. I would move that it go to the Committee of the Whole.

The motion for the second reading was agreed to, and the Bill was read a second time.

Hon. Mr. YOUNG—With the consent of the hon. leader of the Government, inasmuch as some interests who have not had an opportunity to submit their views on this Bill, I move that it be referred to the Committee on Banking and Commerce, which can meet on Wednesday of next week for the hearing of any parties.

The motion was agreed to.

BILL INTRODUCED.

Bill (R-2), An Act for the relief of Alberta Ring.—Hon. Mr. Derbyshire.

The Senate adjourned until tomorrow at three o'clock.

THE SENATE.

Wednesday, May 20, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

FREDERICK SINCLAIR CORRIGAN PATENT BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. BOSTOCK, from the Committee on Miscellaneous and Private Bills, reported Bill (C-3), An Act respecting a certain patent of Frederick Sinclair Corrigan, and moved that the Bill be read the third time.

Hon. Sir MACKENZIE BOWELL—I do not think this Bill should be read the third time to-day.

Hon. Mr. BOSTOCK—All the rules have been suspended, so far as they relate to this Bill.

Hon. Sir MACKENZIE BOWELL—This is another instance of a party asking for a renewal of a patent one day, the Bill is referred to committee next day, and an hon member moves the third reading on the following day; members of the Senate do not know what they are voting for until the Bill is in its final stages.

Hon. Mr. KERR—This Bill is to authorize the revival of a patent. The patentee was one day late in making his application for a renewal, in consequence of the notice having been mislaid in the solicitor's office, and the solicitor not having any instructions with reference to the date of renewal. Under those circumstances, no one objecting, probably the House might see its way to permit the Bill to pass. There is no question of any interference with existing rights.

The SPEAKER—The motion to suspend the rules does not apply to the third reading.

Hon. Mr. BOSTOCK—Then I move that the Bill be read a third time on Tuesday next.

The motion was agreed to.

REIMBURSEMENTS OF DEPOSITORS OF THE J. C. DALE & CO., BANK.

INQUIRY WITHDRAWN.

The Notice of Inquiry being called:

Hon. Mr. McSWEENEY:

That he will inquire of the Government if it is their intention to reimburse the depositors of the J. D. Dale & Co., Madoc, who failed recently?

Hon. Mr. McSWEENEY—I desire to withdraw this inquiry, as I have learned that the bank has settled with the depositors. The people having deposits under $100 are to be paid in full; depositors having over $100 will receive seventy-five cents on the dollar.

The inquiry was withdrawn.

ACCIDENTS TO SS. MONTFORT AND SATURNIA.

MOTION.

Hon. Mr. CHOQUETTE moved:

That an order of the Senate do issue for copies of documents, investigations, judgments, &c., re accidents to the steamers Montfort and Saturnia on the river St. Lawrence.

Hon. Mr. CHOQUETTE—I intend to make a few remarks on this motion, but as an appeal has been taken on the decision given by the Wreck Commissioner of Montreal, I shall simply ask for the papers, and I hope the hon. leader will bring them down as soon as possible.

Hon. Mr. LOUGHEED—I can furnish my hon. friend now with the judgment of the Wreck Commissioner, in both cases.

Hon. Mr. CHOQUETTE—I wish to get copies of the evidence taken; I have a copy of the judgment.

Hon. Mr. LOUGHEED—I have not a copy of the evidence.

The motion was agreed to.

THIRD READINGS.

Bill (P-3), An Act for the relief of Frederick Dwight Chesley.—Hon. Mr. Derbyshire.

Bill (175), An Act to amend the Supreme Court Act.—Hon. Mr. Lougheed.

Bill (178), An Act to amend the Prisons and Reformatories Act.—Hon. Mr. Lougheed.

SECOND READING.

Bill (Q-3), An Act to incorporate the International Suburban Railway Company.—Hon. Mr. Derbyshire.

ADULTERATION ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (99), An Act to amend the Adulteration Act.

(In the Committee.)

On clause 4.

4. The following section is inserted immediately after section 29:

29a. No person shall manufacture for sale, keep for sale, or offer or expose for sale, as maple sugar any sugar which is not pure maple sugar, nor as maple syrup any syrup which is not pure maple syrup and any maple sugar or maple syrup which is not up to the standard prescribed by the sixth schedule to this Act or, if such standard is changed by the Governor in Council, to such standard as the Governor in Council may from time to time prescribe, shall be deemed to be adulterated within the meaning of this Act.

2. The word 'maple' shall not be used either alone or in combination with any other word or words on the label or other mark, illustration or device on a package containing any article of food or on any article of food itself which is or which resembles maple sugar or maple syrup; and no package containing any article of food or any article itself which is not pure maple sugar or pure maple syrup, shall be labelled or marked in such manner as is likely to make persons believe it is maple sugar or maple syrup which is not pure maple sugar or pure maple syrup

and any article of food labelled or marked in violation of this subsection shall be deemed to be adulterated within the meaning of this Act.

Hon. Mr. BOSTOCK—I see there is a schedule on this Bill; is this an amendment to the schedule, as it stands at the present time?

Hon. Mr. LOUGHEED—That is a new clause; it is added to section 18, referring to the certificate of the analyst. The schedule is new as attached to this Bill.

Clause 4, subclause 2.

Hon. Mr. BOSTOCK—How does this subclause work out? Does it mean that the word 'maple' cannot be used for any other purpose in the trade, except in the case of maple sugar or maple syrup?

Hon. Mr. LOUGHEED—It shall not be used in connection with the adulteration of any such product; that is to say when the term 'maple sugar' or 'maple syrup' is used, then it must be the pure article, and not an imitation or substitute, as provided in the Bill; but there is no prohibition upon the use of the word maple as applied to other articles.

The clause was adopted.

On clause 7.

Hon. Mr. YOUNG—In reference to this last paragraph:

Provided always that the Governor in Council may from time to time vary and change the said standards for maple sugar or maple syrup.

The authority to change from time to time would mean that the Governor in Council could change the standard during the manufacturing season; there is no certainty at any time that there would be any standard in force for any length of time, or for any whole season. This would make it a confusing arrangement if, for instance, the standard was changed during the season; the maple sugar and maple syrup might be made according to one standard, and on another day this standard might be either lower or higher. Would it not be better that, when the standard is made, it should stand for the season, at any rate; there must be some reason for changing, but I cannot, for myself, see what reasons can arise to make the change advisable.

Hon. Mr. LOUGHEED—I am not familiar with the making of those products; but might it not be rendered necessary owing to climatic conditions to change the percentages from time to time?

Hon. Mr. YOUNG—No, that won't work.

Hon. Mr. BAIRD—The percentage lowers; at the last run of the sap it is lower than it is at first.

Hon. Mr. YOUNG—This clause leaves the matter so uncertain as to quality that my hon. friend had better take the matter into consideration, and find out the reason for it.

Hon. Mr. LOUGHEED—What is my hon. friend's proposal?

Hon. Mr. YOUNG—My proposal is that a standard should stand for at least one whole season.

Hon. Mr. LOUGHEED—How would you propose altering it?

Hon. Mr. YOUNG—I would first propose that the information should be furnished us as to why it is deemed advisable to insert this clause. Secondly I would ask the hon. leader of the Government to consider altering this clause, so that a change in the standard should not take place more than once a year. The words 'from time to time' would mean that he could change it every week.

Hon. Mr. LOUGHEED—Before the Bill is read a third time, I shall obtain the information for my hon. friend, and if it is desirable to make an amendment to carry out the idea which he expresses, I shall be very glad to have it made.

Hon. Mr. YOUNG—I have no wish to delay the Bill, but hon. gentlemen can see that it would be a very uncertain proposition to the public to buy an article of which the standard might be changed from day to day by Order in Council. You may be able to give us the information.

Hon. Mr. LOUGHEED—There could be no objection in the Governor in Council exercising that authority where conditions warranted the doing of it. I cannot at the moment conceive of the conditions that might arise; it might be possible that the chief analyst might see good reasons for changing those proportions owing to some conditions that might arise; hence the exercise of the authority vested in the Governor in Council. However, as I say, I cannot speak with authority upon it.

Hon. Mr. POWER—Would it not meet the views of the hon. gentleman from Killarney (Hon. Mr. Young), if we were to provide that this change should be made only after three months' notice, so that the people interested would have knowledge of the change?

Hon. Mr. LOUGHEED—All right.

Hon. Mr. BOSTOCK—This matter has been under discussion amongst the people who grow and make the maple sugar, and I presume this standard has been arrived at after consultation with those people and the representatives of the Government. If they come to the conclusion this is the right standard to adopt what is the object of altering it? Why not leave it as it is, without giving power to the Governor in Council to alter it? Surely, if it is a standard, it should be adhered to and recognized in that way.

Hon. Mr. LOUGHEED—I shall obtain the information before the Bill is read the third time.

Hon. Mr. YOUNG—It would be more convenient to amend it in committee.

Hon. Mr. LOUGHEED—We can go into committee again.

Hon. Mr. BEIQUE—There should be a clause providing that the Governor in Council should not change the standard without cause.

Hon. Mr. YOUNG—It would be a most unreasonable proposition that the standard should be changed during the manufacturing season.

Hon. Mr. BEIQUE—We would not expect the Governor in Council to do something unreasonable. It is a power which is taken, but which is intended to be exercised only in special cases.

Hon. Mr. YOUNG—Can the hon. gentleman cite other cases where the Governor in Council is empowered to vary a standard?

Hon. Mr. BEIQUE—There are cases where the Governor in Council is vested with very large powers.

Hon. Mr. YOUNG—That does not answer the question.

Hon. Mr. BEIQUE—Yes.

Hon. Mr. YOUNG—It does not appeal to me. I am in hearty sympathy with the Bill making provision for products that are pure and preserving a guarantee to the public of their purity. If this is exacted, we will have better results from our maple sugar product than we have at present. There are too many adulterations and imitations, which have prejudiced to some extent the maple sugar products in the minds of many would-be purchasers. I am not wedded to the change of standard at will, and as often as the Government likes, without some good reason.

Hon. Mr. BEIQUE—There is no doubt that if the Governor General saw a change was imperative, and to the advantage of the industry, he would not change the standard until all parties interested had notice of the change, and it would take effect after two or three months, possibly. The only opinion I wanted to express was that the Governor General could be depended upon to exercise these powers in a judicial manner. The Bill is drafted in such a way that it will not be necessary to come to Parliament repeatedly, whenever an amendment was thought necessary. This Bill gives power to the Governor General to make regulations for the protection of public interests.

Hon. Mr. YOUNG—My hon. friend will see that we could carry out that principle in a good deal of the legislation we pass from year to year, and if it were carried out to the full extent we would give the Governor General power to do whatever he saw fit with the legislation, by simply giving enabling powers.

Hon. Mr. BEIQUE—With reference to Bills of this nature, the Governor General is invariably given very wide powers of regulation.

Hon. Mr. YOUNG—I have no doubt the hon. gentleman is right, but having had some experience in grain standards, I find that certain standards are fixed by law; no governor in council can change them. That has worked so well that in this matter it might work to the same advantage, providing the Government has the correct information as to what the standard should be.

The clause was adopted.

Hon. Mr. BAIRD, from the committee, reported that they had made some progress with the Bill and asked leave to sit again.

CUSTOMS ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill No. (171) An Act to amend the Customs Act.

In the Committee.

Hon. Mr. BOSTOCK—We asked for some information about this on the second reading.

Hon. Mr. LOUGHEED—What information does my hon. friend require?

Hon. Mr. BOSTOCK—As to manufacturers that would come under this, besides implement makers—whether there were any other classes benefited by this drawback?

Hon. Mr. LOUGHEED—Any manufacturers who manufacture goods out of iron products for export come under this measure. The agricultural implement men are the largest exporters of products of this kind, but it would extend to every class of manufacture coming within the section.

Hon. Mr. WATSON—Will the hon. gentleman give us information as to what benefit it would be to the manufacturer of agricultural implements? It seems to me that this might be worked out to be of much greater advantage to the manufacturer of agricultural implements than the reduction of five per cent duty made recently on these implements would be of harm to them.

Hon. Mr. LOUGHEED—It is of no particular advantage to the manufacturer; it is of advantage to the producer of iron ores in Canada because it permits of the manufactureer using domestic ores in conjunction with foreign ores in the production of their export manufactures. That is to say, the domestic ores and the foreign ores will go into the same melt, and in that way it is of advantage to the producers of domestic iron. Now, up to the present time the manufacturers—and particularly agricultural implement manufacturers—have imported foreign iron almost entirely. This is done chiefly for the purpose of being able to avail themselves of the drawback, on account of its not having been applicable to domestic ores. My hon. friend will see how very much more convenient it would be under the old law for the manufacturer, exporting iron products, to use only foreign iron, because the drawback was only applicable to foreign pig-iron. Now the two irons may go into the same blend, or melts, and the drawback applies to the export weight, or to the export quantity, so long as it does not exceed the amount imported.

Hon. Sir MACKENZIE BOWELL—It is an extension of the practice which has been on the statute book for a great many years. This clause extends the privilege to pig-iron that was extended in the past to the ore. The parties most interested in this would be the manufacturers of pig-iron and rolled iron. The practice in the past was that, if ore from any portion of the world outside of Canada were imported into Canada and used in the smelting works mixed with native ores, the pig-iron that was manufactured from the mixture, when exported, could have the drawback of the duties which had been paid upon the foreign ore; if manufactured into pig-iron, and from pig-iron into bar iron, when that is exported, they could receive the duty paid upon the foreign ore. This goes further. This provides that when pig-iron is manufactured from a mixed ore, foreign and domestic, for whatever purpose the bar iron and other articles may be used, they can receive the drawback on the quantity exported. But I notice the wording of this, 'ores that are mixed with domestic ores.' Supposing an iron is manufactured at the smelting works exclusively out of imported ore and the bar iron is exported, the agricultural implements manufactured from it would get the drawback. The drawback could only apply to an article manufactured out of iron which was produced by the mixture of the ores. If I understand this correctly, if bar iron is manufactured out of imported ores exclusively, the manufacturer would not get the drawback.

Hon. Mr. DAVIS—I am myself in favour of the reduction of all duties, and this is along that line. How does my hon. friend propose to keep track of the amount of pig iron brought into this country after it is manufactured and exported—how do we know we are not paying a drawback on our own material?

Hon. Mr. LOUGHEED—Let us assume for a moment that a manufacturer is going to take advantage of this drawback. He imports a certain amount of foreign iron, and he has purchased a certain amount of domestic iron—for convenience let us say fifty per cent of each. He then exports the product. If the export product should exceed the amount which the customs records show he has imported, it is quite apparent that he is asking for a drawback on the domestic ore. The Act provides that the drawback shall be limited to the amount imported, and that information is always available in the customs office. It is possible to ascertain whether that party is exporting more than he has imported; that is the check. My hon. friend will readily see how accurately that may be carried out.

Hon. Mr. WATSON—What is the meaning of the word in the fourteenth line, 'exported and other goods?'

Hon. Mr. YOUNG—Do we understand by that goods not exported also come under the operation of this clause?

Hon. Mr. LOUGHEED—No.

Hon. Mr. YOUNG—Then what do you mean by 'other goods?'

Hon. Mr. DAVIS—Put the whole thing on the free list.

Hon. Mr. YOUNG—Will the leader of the Government tell the House whether there is a drawback given now on goods for domestic use?

Hon. Mr. LOUGHEED—No.

Hon. Mr. YOUNG—All drawbacks apply only to export goods.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. YOUNG—Then what is the meaning of 'and other goods?'

Hon. Mr. LOUGHEED—The iron may have entered into other goods, but they have not been exported. The drawback is limited entirely to such of the goods as may be exported.

Hon. Mr. WATSON—What about the other goods?

Hon. Mr. LOUGHEED—This iron may enter into other goods that are not exported, but the drawback is not paid on those.

Hon. Mr. YOUNG—As the wording is in the clause, it is open to this interpretation, that it applies to goods exported 'and other goods.'

Hon. Mr. LOUGHEED—The lines referred to are only dealing with the goods into which the imported iron has entered. That is to say, the imported iron may have been used in goods manufactured for export as well as other goods, that is, goods used for domestic purposes.

Hon. Mr. YOUNG—Then, in the case of it being used or sold for domestic purposes, the drawback would apply apparently?

Hon. Mr. LOUGHEED—Oh, no.

Hon. Mr. BEIQUE—Yes.

Hon. Mr. LOUGHEED—No, if my hon. friend will read part of the seventeenth line he will see that it is limited to the exportation of goods manufactured in Canada—to the exportation of goods only.

Hon. Mr. WATSON—That means where domestic must take the place of imported iron and part of the imported iron is manufactured into domestic goods they get the drawback on the full tonnage.

Hon. Mr. LOUGHEED—No, only on the proportion exported.

Hon. Mr. WATSON—The statement was made in another place that manufacturers of binders and mowers got a drawback on all the imported iron that went into binders and mowers for home consumption? Is that correct?

Hon. Mr. LOUGHEED—No; where it is exported only; that is the way I understand it.

Hon. Mr. WATSON—Not for home consumption?

Hon. Mr. LOUGHEED—I do not so understand it.

Hon. Mr. WATSON—That statement was made in another place, and was never contradicted.

Hon. Sir MACKENZIE BOWELL—It is very clear that this applies only to goods that are exported, a portion of which is made and manufactured out of this particular iron purchased by the manufacturer.

Hon. Mr. WATSON—What is meant by 'other goods'?

Hon. Sir MACKENZIE BOWELL—Any goods that are mixed.

Hon. Mr. WATSON—But this is not exported.

Hon. Sir MACKENZIE BOWELL—I do not see that difficulty at all; the difficulty I see in carrying out the clause is this, that you might have a ton of iron that is the product of these mixed ores and you might manufacture stoves or anything else out of them. The difficulty in administering the law would be to ascertain, in case you exported half the stoves that were manufactured out of this ton of iron, how much went into each stove. In order to arrive at the knowledge you would have to have the affidavits and statements of the manufacturer as to the amount of iron that went into the production of the article, no matter what it was, before he could get the drawback.

Hon. Mr. YOUNG—If my hon. friend reads this clause very carefully, he will see

that it means that if a manufacturer imports 10,000 tons of pig-iron and exports goods that have 10,000 tons of iron in them, made from a blend, we will say, then he gets the whole drawback on the 10,000 tons.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. YOUNG—And he may have 5,000 tons of that mixed with Canadian ores going into Canadian goods in Canada.

Hon. Mr. LOUGHEED—That is it, precisely.

Hon. Mr. YOUNG—So that really he gets the drawback on the goods manufactured for domestic purposes.

Hon. Mr. LOUGHEED—No; my hon. friend has established quite the contrary. Let us assume that he imports 10,000 tons of foreign iron, and works into the blend 10,000 tons of domestic iron. Now he has the product of 20,000 tons, and he exports that 20,000 tons; he would only get a drawback on 10,000 tons, because that is all he imported. Let us assume he uses half of that for domestic purposes, the foreign iron which may have gone into the products used for home consumption will not receive the drawback.

Hon. Mr. YOUNG—How on earth are you going to trace it up?

Hon. Mr. POWER—Taking the instance just given by the hon. leader of the Government, as I understand under the law as it exists now, the manufacturer gets the drawback on the imported iron only after he has exported the whole of that imported iron.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. POWER—And one of the objects of this enactment, as I understand, is to enable the manufacturer, when he has manufactured 10,000 tons and exported that, even though that 10,000 tons be made up in a great degree of native ore, he is entitled then to get the drawback on the whole 10,000 tons, but he is not entitled to any further drawback on the remaining 10,000 tons.

Hon. Mr. LOUGHEED—No; it cannot exceed the volume of his importation.

Hon. Mr. POWER—It is an advantage to the manufacturer, but there does not seem to be anything very objectionable about it, except that the language of the Bill is very complicated, and difficult to understand. As members of this House, who, I suppose, are at any rate up to the average of intelligence, have been puzzled and bothered over it, it might be well if the hon. gentleman would try and have the language clarified a bit. The proverbial Philadelphia lawyer would be puzzled over this clause.

Hon. Mr. DAVIS—This Bill is dealing with the question of a drawback on certain iron that we allow to be used for certain manufactures. It deals altogether with a drawback on iron that enters into any commodity which is exported. Therefore, if these words 'other goods' mean anything with reference to the manufacture of domestic goods, they should not be there at all, because if anybody wants to import pig iron for the purpose of manufacturing goods for the domestic market, they pay duty on it. Those words should therefore not be there, and the clause should deal only with the question of goods that are exported.

Hon. Mr. LOUGHEED—No, because he may use this foreign iron in the goods exported and in other goods; that is, in other goods not exported.

Hon. Mr. DAVIS—But he can use it for the other goods, and hence the words 'other goods' are not needed here at all.

Hon. Mr. LOUGHEED—Heretofore the manufacturer kept this foreign iron practically for export goods; he kept his foreign iron separate from his domestic iron; he worked the foreign iron into the foreign goods, and the domestic iron, provided he kept such, he worked into goods for home consumption. But now foreign iron may go into goods for home consumption, and the domestic iron may go into goods for export, but the drawback is determined entirely by the weight of the goods exported, provided they do not exceed the amount of the importation.

Hon. Mr. DAVIS—You will find that a difficult Act to work out.

Hon. Mr. BEIQUE—I agree with the hon. member for Halifax (Hon. Mr. Power) that the wording is very difficult to understand.

Hon. Mr. LOUGHEED—All customs legislation generally is.

Hon. Mr. POWER—Does not the hon. gentleman think he can have that language improved a bit?

Hon. Mr. LOUGHEED—I do not think so; I would not like to undertake it.

Hon. Mr. POWER—On consultation with the department?

Hon. Mr. LOUGHEED—I have enough on hand without assuming to improve it.

Hon. Mr. MURPHY, from the Committee, reported the Bill without amendment.

CRIMINAL CODE AMENDMENT BILL.

Reported from Committee.

The House resolved itself into a Committee of the Whole on Bill (179), An Act to amend the Criminal Code.

(In the Committee).

On clause 1.

Hon. Mr. BOSTOCK—Can the hon. leader of the Government explain whether this covers the point I raised about photographs as well as printed matter?

Hon. Mr. LOUGHEED—Oh, no, I should say not.

Hon. Mr. BOSTOCK—It does not apply to that?

Hon. Mr. LOUGHEED—No.

Hon. Mr. BOSTOCK—Supposing a photograph or picture were misleading, it would not apply?

Hon. Mr. DAVIS—You will find a picture would be considered an advertisement when accompanied by any printed matter.

Hon. Mr. LOUGHEED—On second thought I should say that the publication of any picture which is meant to deceive, and which would create the results mentioned here, would come within the Act.

Hon. Mr. DAVIS—For instance, if a man publishes a folder advertising his town or something else and shows four or five railroad lines when there are no railroad lines at all, and factories and smoking chimneys and all that, he would come under the Act.

Hon. Mr. LOUGHEED—I think so.

Hon. Mr. DAVIS—And rightly so, because there has been too much of that going on.

Hon. Mr. WATSON—It seems to me it will be very difficult to apply this amendment to the Act:

406a. Every person who knowingly publishes or causes to be published any advertisement for either directly or indirectly promoting the sale or disposal of any real or personal movable or immovable property, or any interest therein, containing any false statement or representation which is of a character likely to or is intended to enhance the price or value of such property or any interest therein or to promote the sale or disposal thereof shall be liable upon summary conviction to a fine not exceeding two hundred dollars or to six months inprisonment or to both fine and imprisonment.

Now, that is a matter of opinion. A man may be perfectly honest and may think property is worth ten times as much as I, or any other individual estimates it, but he would not be knowingly doing anything that was criminal.

Hon. Mr. LOUGHEED—If he knowingly does it.

Hon. Mr. WATSON—But he does not; he honestly believes and expresses his opinion as to the value, and he puts an estimate on it. Some other people might not think it worth the same money, but he is perfectly honest. A great many people go into speculations that many other people think are very foolish.

Hon. Mr. LOUGHEED—My hon. friend will notice that the person must 'knowingly' publish it, and such publication must contain a 'false statement or representation which is of a character likely to or is intended to' produce the result.

Hon. Mr. WATSON—He may be perfectly honest in making the representation, because it is according to his ideas of the value.

Hon. Mr. ROSS (Middleton)—That legislation is closely modelled on the English legislation with regard to prospectuses, in which they say if you allege a statement as a fact which is false it is criminal.

Hon. Mr. WATSON—That is all right.

Hon. Mr. ROSS (Middleton): But you can put in as many statements of opinion as you like. A man putting up real estate for sale had better be careful of what he asserts as a fact, and what he asserts as a matter of opinion. The punishment here will be for making a false statement of fact. Then, if you want to give an opinion you say 'an engineer has examined this, and he has given the following opinion,' and 'my opinion is that it is worth so much;' but if you say that land is heavy clay when as a matter of fact it is a bed of rock or sand, then you have made a statement of fact and you are within the criminal law. But a man might offer an opinion

and say that in his opinion it is going to be good fruit land. That is a matter of opinion; you could not try him for that.

Hon. Mr. WATSON—A man might say that land, without describing at all, is worth $100 an acre.

Hon. Mr. ROSS (Middleton)—That is a matter of opinion.

Hon. Mr. LOUGHEED—He would not then come within this Act at all.

Hon. Mr. BEIQUE—We are all agreed that false statements should be prohibited, but the clause refers to 'false statements or representations.' The word 'false' should be inserted before the word 'representation.'

Hon. Mr. LOUGHEED—If you put that as an amendment, I will accept it.

Hon. Mr. BEIQUE—I would move that the word 'false' be inserted before 'representation.'

Hon. Mr. JAFFRAY—I quite agree with the object of this Bill, but it is too broad; it will create difficulty for any publisher. For instance, if an advertisement is sent to a paper from the West, say Vancouver, and some statements are made that the property is near the centre of the city, that there is a factory to be built, and one thing or another of that kind, according to this Bill the publisher would be almost obliged to verify whether those statements were correct or not. Otherwise he is said to have knowingly accepted the advertisement, should it be incorrect, when he ought to have made the inquiry, and been sure that it was correct. Opinions with regard to the value of property are very widely apart. If a person were to tell me a property were of such a value I might consider he was making a mistake when perhaps he was perfectly honest about it. I think this Bill is really too broad and should be more circumscribed.

Hon. Mr. LOUGHEED—The case mentioned by my hon. friend would not come within the Bill. My hon. friend mentions a case where a paper would publish an advertisement. Unless the paper knowingly contributed to the fraud which is about to be perpetrated it would not come within the provisions of the Bill. Any advertisement of the kind mentioned by my hon. friend would be published in good faith.

Hon. Mr. JAFFRAY—The penalty is a severe one. It will be easy to bring cases within the provisions of the Bill, and would make it difficult for any publisher.

Hon. Mr. LOUGHEED—If an advertisement is being placed in a public journal for the purpose of deceiving the public, is that journalist not as much a party to the fraud as the principals who issued the advertisement in the first place, and who profited by it?

Hon. Mr. POWER—If he knows it.

Hon. Mr. LOUGHEED—If he knows it. You cannot convict him unless he does it knowingly.

Hon. Mr. JAFFRAY—The difficulty is that the extremes are so great that it will be difficult to convince a judge or jury just when the offence is committed.

Hon. Mr. DAVIS—It appears to me it would open the door to all kinds of litigation. We have had an expression of opinion from legal gentlemen on the other side with reference to the scope of this Bill, but at the same time the public are not as well posted as the legal gentlemen who have spoken. I think if no prosecution were allowed except with the consent of the Attorney General, as is provided in the Lord's Day Act, you would get the desired result where there was a flagrant breach of the law, and at the same time you would shut off a lot of cranks who might be bothering people who were doing an honest business.

Hon. Mr. ROSS (Middleton)—There can never be any prosecution for any expression of opinion, under any conditions whatever. It is confined to a false statement of facts or of false representations. A man might say that he is informed the Canadian Pacific railway is going to run through a certain section of land where there is to be a station, when he has no authority for the statement at all. That is a false statement. But he can say that, in his opinion, an article is worth ten or twenty thousand dollars. There can never be a prosecution where it is simply an expression of opinion. With regard to a newspaper, an advertisement comes to a Montreal or Toronto paper from Winnipeg, St. John or Halifax. It goes to the editor of the paper and is published. It turns out that it contains false statements of fact, false representaions and extraordinary opinions. There can be no prosecution of the management of that paper if it simply received the ad-

vertisement and knew nothing of the merits of it. It would be necessary to prove that the man who owned that paper, and was responsible for the publication, had the same knowledge as the man who sent the advertisement, that the whole thing is false; it is right that he should be prosecuted in that case along with the other man.

Hon. Mr. DAVIS—I wish the hon. leader would give some consideration to my suggestion that no prosecution should be held under this Act except with the consent of the Attorney General of the province?

Hon. Mr. LOUGHEED—Oh, no.

Hon. Mr. DAVIS—There will be trouble about it.

Hon. Mr. LOUGHEED—The only trouble will be in prosecuting those who are guilty of perpetrating frauds which have made Canada a byword and a reproach for a couple of years.

Hon. Mr. DAVIS—I agree that this practice should be stopped. It is like the blue laws of Kansas, which are perfectly right and, if carried out with safeguards, would be beneficial. At the same time, people who are not guilty may be brought into court, and who is going to reimburse those people who are innocent? Somebody may say 'that is your opinion, but I think you are guilty', and they might prosecute a man and the prosecution would cost him money.

Hon. Mr. LOUGHEED—He would not be within the Act where he merely expresses an opinion. It is where he deliberately misrepresents.

Hon. Mr. DAVIS—But if he is brought up and prosecuted it costs him a great deal of money.

The clause was amended and adopted.

Col. the Hon. Mr. MASON, from the committee, reported the Bill with an amendment, which was concurred in.

SECRET COMMISSION ACT AMENDMENT BILL.

IN THE COMMITTEE.

The House resolved itself into Committee of the Whole House on Bill F-3) An Act to amend the Secret Commisison Act, 1909.

(In the Committee.)

Hon. Mr. DAVIS—Since this Bill was discussed in the Senate I have read a great deal of information with reference to it. The question was asked the other day if such a measure were enforced in any part of the world. I have the Anti-Tipping law of the State of Mississippi, which I desire to place on the Debates. It reads as follows:

We Observe the Anti-Tipping Law.
Patrons will please do likewise by not tipping employees and thereby avoid making the proprietor, manager or agent, violator of the law.

Anti-tipping Law proposed by the Mississippi Travellers' Association and Passed by the last Legislature.

Chapter 136.—Acts 1912.

An Act to prohibit hotels restaurants cafés, dining cars railroad companies and sleeping car companies from allowing 'tips' to be given to employees; to prohibit all persons from giving same to employees; to prohibit the employees of hotels, restaurants, cafés, dining cars railroad companies and sleeping car companies from receiving same.

Section 1. Be it enacted by the Legislature of the State of Mississippi, that it shall be unlawful in this State for any hotel, restaurant, café, dining car railroad company or sleeping car company to knowingly allow any person in its employ to receive any gratuity, commonly known as a 'tip,' from any patron or passenger; and it shall be unlawful for any patron of any hotel, restaurant, café, dining car or any passenger on any railroad train or sleeping car to give to any employee any such gratuity; and it shall be unlawful for any employee of any hotel, restaurant, café, dining car railroad company or sleeping car company to receive any gratuity or 'tip.'

Section 2. By gratuity or 'tip,' as used in this Act, is meant any extra compensation of any kind which any hotel, restaurant, café, dining car railroad company, or sleeping car company, or the manager, officer, or any agent thereof in charge of same, allows to be given an employee, or which any person gives to any employee, or which is received by any employee, and is not a part of the regular charge of the hotel, restaurant, café, dining car railroad company or sleeping car company, which is not a part of its regular charge for the thing bought or service rendered, or a part of the service which by contract it is under duty to render. No hotel, restaurant, café, dining car railroad company or sleeping car company shall evade this Act by adding to its regular charge, directly or indirectly, anything intended for, or to be used, or to be given as a gratuity or tip to the employee. All charges made by the hotel, restaurant, café, dining car railroad company or sleeping car company must be made by it and be in good faith a charge for the service which it renders exclusive of the service which it furnishes through its employees.

Section 3. Each hotel shall post a copy of this Act in the office and in each room, and each restaurant and café shall post at least two copies of this Act in two conspicuous places in same, and each dining car railroad or sleeping car company doing business within this State, shall post two copies of this Act in conspicuous places in each passenger coach or sleeping car.

Section 4. Any hotel, restaurant, café, dining car railroad company or sleeping car company,

and the manager, officer, or agent of same in charge, violating this Act, or wilfully or negligently allowing the same to be violated in any way, shall each be subject to a penalty not to exceed one hundred dollars for each tip allowed to be given. If any person shall give any such employee any gratuity or tip such person shall be subject to a fine of not more than fifty dollars for each offence. If any of the above employees shall receive any gratuity or tip, he shall be subject to a fine of not more than fifty dollars. If the hotel, restaurant, café, dining car railroad or sleeping car company fail, neglect, or refuse to post this Act as required herein, such hotel, restaurant, café, dining car railroad or sleeping car company shall be subject to a fine not to exceed one hundred dollars for every day it shall so fail.

Section 5. It shall be the duty of the circuit judges to specially call the attention of the grand jury to the provisions of this Act at each term of the court.

Section 6. All laws in conflict with this Act, be, and the same are, hereby repealed, and this Act shall take effect sixty days after its passage.

Passed House of Representatives January 17, 1912.

(Signed) H. M. Quin,
Speaker House of Representatives.

Passed the Senate February 7, 1912.

(Signed) Theo. G. Bilbo,
President of Senate.

Received in the office of Secretary of State on the 1st day of March, 1912, without the signature of the Governor; becomes a law under section 72 of the State Constitution.

(Signed) Joseph W. Power,
Secretary of State.

There is the law, and it is supposed to be posted in every one of the hotels and dining cars.

Hon. Mr. DENNIS—Where does the law apply?

Hon. Mr. DAVIS—Mississippi.

Hon. Mr. DENNIS—Can the hon. gentleman tell us how many coloured people there are in that state?

Hon. Mr. DAVIS—I cannot say. I have a letter from the secretary of the Commercial Travellers of Mississippi to the effect that they are enforcing this law, and it is actually wiping out this obnoxious system of tipping.

Hon. Mr. DENNIS—The hon. gentleman holds up the state of Mississippi as an example for the people of Canada to follow.

Hon. Mr. DAVIS—No. I think that in legislation of this kind we are intelligent enough to be pioneers. We are not waiting for Mississippi or any other state. I am simply presenting this Act of the state of Mississippi because some gentleman said in the House that no other country had passed any law of this kind.

Hon. Mr. MURPHY—One hon. gentleman said there was no such State as Mississippi.

Hon. Mr. DAVIS—This Mississippi law shows that the people on the other side of the line are taking an interest in this question, as well as the people of Canada. I have a letter from a gentleman in New Mexico. Some of the people in New Mexico know that there is such a place as Canada, although some hon. gentlemen did not know that there was such a state as Mississippi. This letter is from Mr. O. T. Toombs, Clayton, New Mexico, and reads as follows:

May 16, 1914.

Senator Davis,
Ottawa, Canada.

My dear Sir:

I have noticed by the public print of this country that you have introduced a bill in your Legislature, regulating the practice of 'tipping.' I believe that it is the right kind of legislation. I believe it is a move in the right direction.

I am a member of the Legislature of the State of New Mexico. I would like to have a copy of your bill, and if you will kindly send me one, I will appreciate it very much.

Yours very truly,
O. T. Toombs.

Hon. Mr. DENNIS—I do not think the time of the House should be wasted with letters from New Mexico and Mississippi, and I am surprised the hon. gentleman should present letters from such places as New Mexico or Timbuctoo.

Hon. Mr. DAVIS—I wanted to draw attention to the fact that in this legislation we are probably pioneers. Do hon. gentlemen think we should wait until somebody else hews out a path for us to follow? We have just passed a Bill along the lines of the Blue Law of the state of Kansas.

Hon. Mr. POIRIER—Is the gentleman who wrote that letter a constitutionalist in Mexico like Huerta?

Hon. Mr. DAVIS—Perhaps my hon. friend, who takes exception to the state of Mississippi, would not be averse to hearing the opinion of some people in this country. I have a few letters that would be interesting to the House. I have a letter from the manager of Wood, Vallance Company, Limited, of Winnipeg, one of the largest hardware firms in Canada—about the largest. They have hundreds of travellers all over. The manager writes as follows:

Winnipeg, May 11, 1914.

Dear Senator:

I must thank you for your kindness in sending me a copy of the report of the motion

for the second reading of your bill to abolish the practice of tipping in Canada, and the discussion thereon.

It is not worth while saying very much on this subject as I can see that the ground has been already pretty well covered, and there can be only one opinion among those who have felt the annoyance and injustice of the custom —and that includes practically everybody.

We all know how it bears upon the individual of moderate means, but business houses with travelling representatives perhaps feel it even more. You know travellers do not spend their own money when out in the firm's interests, and it is only human nature to be freer with other people's money than with what belongs to ourselves. By this time you must be aware of the fact that you have the public behind you, excepting naturally the small proportion who are directly benefited. All whom I have heard refer to the subject admire your courage and out-spokenness in attacking a difficult proposition and wish you every success in your efforts to place this measure upon the statute books.

There have been many comments and letters in the Winnipeg papers all along the same lines, namely, in favour of the legislation. I am mailing you to-day copy of the 'Telegram' which contains some applicable correspondence from subscribers.

Again thanking you for your thoughtfulness in remembering me, and with my own best wishes,

Yours very truly,
G. Myron McBride.

Senator T. O. Davis,
The Senate,
Ottawa, Can.

The following letter is from a gentleman in Toronto who has done a great deal of travelling. It is as follows:

Dear Sir,—It was with great satisfaction that I saw one man who was in a position to do so, had sufficiently the courage of his convictions, and the interests of the travelling public at heart, to undertake the doing away with 'tipping system' which amounts to nothing less than an absolute 'hold up' and is of no possible benefit, except to the dishonest, incapable waiter, or porter, who declines to give reasonable service without absolute bribery, or black mail. The amendment suggested, viz that the notice that it is illegal, is a good one and entirely necessary to the protection of all concerned and the carrying out of the law, and if it becomes generally known that such a law is in force in Canada, and is properly carried out, it will soon be declared to the everlasting credit of the country and its legislators. No man who knows the condition of affairs, and who places the comfort of the public and the good name of the country above his own selfish desire to get more than his just share of attention (if he be a wealthy man, or a spendrift) can reasonably fail to support such a measure.

I am in a position to know whereof I write, and I claim, without any fear of contradiction, that Canada suffers more from this crying evil and nuisance than any country in the world, not even the United States, from where it came to us in its worst form, and as in all other such class of evils that we have learned from them we have added to and improved on it to our cost. The custom of giving the 'pour boire' as an appreciation of additional voluntary service, or the three penny or even six penny tip to the continental porter, the regulation tip on the Atlantic liners, which was a well established custom, and was properly regulated as to amount, or to the employees of the after service.

European hotels, upon leaving, as an appreciation of (good efficient service) though not to be confused with the system in vogue here, is undoubtedly responsible for it but unfortunately, has added all the additional bad features, and tends to entirely do away with and prevent the good results, for which its origin as a custom was responsible, instead of resulting in good service and proper appreciation of good voluntary service (since instead of being tendered voluntarily as a mark of appreciation of such 'good service' it has developed into 'a hold up' without giving way to which not even ordinary service is rendered (and unless paid in advance) and in may cases to absolute impertinence and neglect.

It may be that some of the hotels favour it as a means of having the public provide them with help, but I know that at least some of them already know that it is making it almost impossible to control their help at all, that a regular conspiracy exists amongst waiters, porters, bell boys, etc., under which the graft is insisted upon, and that the plunder is systematically divided, that the one who does not keep 'properly on the job' soon finds the atmosphere too hot for him, and that the manager is in many instances powerless to protect the public and the owners of the hotel much as he would like to do so.

I know of an instance where the lady cashier has resigned her position at the desk, to assume that of checking the hats (even although she only secured the most unprofitable position of two,) of one of our leading hotels, because she had discovered that there was more than three times the revenue from taking care of hats than there was in book keeping, and I know from experience that bellboys actually take the soap, towels, &c., out of the bedrooms in order that they may be called up and exact a tip, also that he invariably fails to bring a part of what is called for, if more than one thing is asked for, in order that after he has exacted a tip, a second trip may be made, but invariably by a second boy, who also must be tipped, and no doubt both tips handed in the central 'clearing house' to be divided. Even the boy who notifies one of a telephone call, expects to be paid for it, and failure to give it, results in a second call from him, to inquire if 'it was all right' although we are compelled in most places to pay ten cents for each call we make, when paying our bill, and a business man finds it a fairly expensive item. This telephone boy is a small affair, but is just the systematic way of making a successful grafter of him. Any experienced traveller knows that hotel rates have so increased that they are certainly much higher than any other country, from the village hotel, which has jumped from 'one dollar per day' which all know was the regular charge a few years ago, to 'two dollars per day' (one hundred per cent) all one fifty hotels, are now two fifty to three, and a very ordinary room even in American plan hotels is estimated at the rate of a dollar a night, with fifty cents to a dollar more for a bath, whilst no European plan hotel, with a very rare exception, gives the most ordinary room for less than the one fifty, and in most in-

stances two dollars, or three with a bath. This in addition to a bill of fare, at simply outrageous prices. Even as I say in very ordinary hotels, and on diners, and in each case, 'service' or high cost of help' is the explanation, whereas the victim is compelled to pay in addition for that 'service' or help more than he could employ two or three waiters, servants or valets to wait upon him alone (if it were not for the expense of his waiter's fare and board) for one-third of what is squeezed out of him for ordinary civility, and very ordinary attention. As to the accommodation, I know that hotel accommodation is entirely more expensive in Canada than in either England, the Continent, or the United States, and the grafting waiter is seldom the best one and does not in any way compare, with what a 'real-waiter' used to be, when he depended on the sort of service he rendered, in advance, for his legitimate income. It is true that the fact that a small tip, in ordinary return for service, seems but little to the individual, but when he realizes that a sleeper usually contains twenty-four berths, and that a full car ordinarily pays the porter from four to five or six dollars per night, he wonders why a railway company can not see the wisdom of paying their staff themselves, and exacting from their patrons, only what is reasonable in addition to his berth fare, in order to make up the amount to pay the porters salary, if it is definitely settled that they will not pay their own staffs. Why a bootblack or male chamber maid should receive the income of an accountant or office manager, and so become the most attractive bait of the train robber is difficult to understand. It is quite easy to understand that the condition of affairs in Canada is due to the great ease with which promotors, mining sharks, and speculators, have amassed large amounts of money, and the habit of such of 'blowing themselves' and buying up every thing in sight, as if they were 'to the manner born' to the great discomfort and injury of those 'who know better' and it is a recognized fact, that this class of people, have detracted much from the comfort and respectability of one of Toronto's leading hotels, and enabled all who undertake to cater to the wants of the travelling public to bleed them to 'the Queen's taste.' Why should the hotel keeper whine about the cost of his help, and the goods he must buy, and expect the public to pay for it and insure him a profit, generally five hundred per cent more than is expected in any legitimate business. If the merchant, the manufacturer, or any other businessman cannot compete successfully, he must step down and out, so let us have a law that will compel the hotel keeper, railway company, and all other business enterprises, to pay his own way, charge the public directly (not through the medium of his servants) for what he furnishes him with, and if he gives accommodation as good or better than his competitor he will get his reward, and if not, let him take up some line that he is better fitted for. Let waiters and porters do the same thing, and the public will get better service and the good servant get the return for his work, and not the biggest bluffer or grafter.

Let me once more congratulate you on the position you have taken, and wish you every success in carrying it out. Let any legislator who contends 'that a law can not be carried out' take shame unto himself, and keep quite clearly before you the fact that absolute publicity is the only way to make the law successful, and that a fine has but little effect on either 'the bloated easy money sport' or the waiter who scoops enough in a day or night to pay an ordinary fine. Imprisonment is the only cure for them, and the just reward for a deliberate law breaker.

With apologies for the length of this letter, and best wishes for the success of the Bill.

Believe me,
Yours very truly.

This gentleman, who does not wish to have his name mentioned, is one of the largest business men in Toronto. I have here an editorial from the London Advertiser, a very respectable paper I understand, strongly approving of the Bill.

Hon. Mr. MURPHY—You should have got an article from the Presbyterian Witness, commenting on your Bill.

Hon. Mr. DAVIS—I could not well give all the letters and clippings I have received. But I see that this Bill has attracted attention in the United States, as the following letter and enclosed clipping from the Washington Star show:

Washington, May 15, 1914.

Senator Davis,
Ottawa, Ontario.

Dear Sir:

I would greatly appreciate a copy of your bill referred to in the enclosed clipping from the Evening Star of this city, and will be obliged if you will send it to me. It seeks to correct an evil which seems to be worldwide.

Yours very truly,
Addison T. Smith.

The clipping enclosed was as follows:

Put the ban on tipping.
Ontario Senators approve Bill which will abolish custom.

Ottawa, Ont., May 14.—The Bill making tipping and the taking of tips an indictable offence has passed the Senate Committee of the Whole practically without opposition.

The Bill was introduced some time ago by Senator Davis, a western senator, and at first excited much ridicule. Then suddenly a widespread demand for the passage of the Bill sprang up, with the result that it has now been rushed through the committee which means that it will pass the Senate and be sent to the House of Commons for concurrence.

The Bill makes it an offence punishable by a fine of $100 to give or take a tip and makes the employer equally liable to the fine.

The following is from a well known gentleman in Winnipeg:

Canadian Pacific Railway
Hotel System.

May 7, 1914.

Royal Alexandria Hotel,
Winnipeg, Man.

Senator Davis,
Ottawa.

Dear Sir,

I trust you will be successful in getting your anti-tipping Bill through. It will be a boon to many thousands of Canadians and it will be appreciated by visitors to our country. The

tipping system is an abomination. It degrades the men who receive tips and it presuppose the men who give tips are imbecile.

You have every business man in Canada in support of your Bill, I am sure.

I am Sir,
Yours truly,
V. O. James.

604 Northwest Trust Building,
Vancouver.

The following letter is sent me by a gentleman in Toronto, who does not wish to have his name made public:

Dears Sir:

Having seen in the press that you have introduced an anti-tipping Bill in the Senate of Canada, I feel it my duty to express my hearty approval of the course you have taken in regard to this growing evil. In the past week I have asked the opinion of no less than twelve men, in different walks of life, and eleven of them spoke strongly in favour of your Bill, which I think indicates that there is a strong feeling against the tipping system in Canada. I think, Sir, that, not only should you be supported by the Senate and House of Commons, but that you deserve the thanks of the people of the Dominion for being bold enough to tackle a question which too many of your fellow members are afraid of.

I have also a letter from Archdeacon Fortin, of Winnipeg:

Holy Trinity Church,
Winnipeg, Man., May 7, 1914.

The Hon. Senator Davis,
Ottawa.

Dear Sir:

I see in to-night's Free Press that you are introducing a Bill against the tipping system.

Permit me to thank you very sincerely for this wise and timely move. The whole country will look upon you as a public benefactor if you succeed in your laudable effort.

This tipping is nothing short of an intolerable nuisance. It destroys the manhood of the serving class, and imposes an unnecessary burden upon those who have just enough to pay their way. It is unjust and unreasonable nor is it necessary to the success of any enterprise.

Last summer I stayed at the Strand Palace hotel in London. There no tips are allowed. Large placards are posted in the halls to the effect:

Tips are neither expected nor allowed. The management pays all employees adequately.'

As a result the hotel is so popular that one has to write at least a month ahead to have accommodation. Moreover the Strand Palace Company declared a dividend of 70 per cent last year.

Besides, so convinced is the company of the wisdom of its system, that another hotel having a thousand rooms is to be built at once in Piccadilly and managed in the same way.

I am sure that all sensible men will stand at your back.

Believe me,
Very sincerely yours,
O. Fortin, D.D.,
Rector of Holy Trinity and
Archdeacon of Winnipeg.

All this goes to show that this proposed legislation has taken hold of the people of Canada from the Atlantic to the Pacific. Now here is a letter from a Montreal waiter, which shows that all waiters do not wish to be treated as parasites:

Montreal, the 8th May, 1914.
60 Victoria street.

Hon. Mr. Davis,

Dear Sir,—Having read your intention in the Montreal Star of the 7th inst., about abolishing the tips system, I can assure you that most of the waiters are in favour of it and would be most thankful to you because we don't like to live on charity, as we have to work 12 to 15 hours a day. Dear Sir, most of the hotel managers will say that the employees have the food in the house, but I can assure you that, that the food (you) which we get in these big houses absolutely is not up to the standard and is only rotten stuff. Dear Sir, if you think that I am only would like to blackmail the hotels, then just take a boy away and ask him about it. Dear Sir, if a Bill as you proposed should be passed, would you be so kind and help us to give a proper and fair wages and also treat us as you do your servants and give us a day off in the week. If we could get a minimum wages, $3 a day, that would not be to too much and would be fair at the same time. And I hope, Sir, that you will be so kind hearted to give us a proper and fair working condition.

I am, Sir, yours truly,
Obedient servant,
Charles Steadman,
60 Victoria street,
Montreal.

The Winnipeg Telegram published an article which was unfavourable to this Bill, but it soon heard from its readers, who found fault with the position it had taken on the subject. Here is one of a number of letters which was sent to the editor protesting against his toleration view of this form of petty graft:

Objects to Tipping.

Editor Telegram,—Re your editorial in the Telegram of the 8th, headed 'Tips,' I wish to say that, as a commercial traveller, your article, all through, does no credit to the best paper in the west. I have read your paper now for seventeen years, when in the west for a big portion of the year. I know many travellers who have read the editorial in question, and they have very freely expressed themselves regarding it. You don't begin to touch the question Senator Davis is handling. He knows what he is talking about. Your writer on this question does not. You dwell on the 'boot black' with his extra fine polish and you think he should have more than his price for selling his services to you. Would you, if buying some nice neckwear, and being waited upon in a nice manner, feel it incumbent upon yourself to hand him a quarter? Travellers are subjected to this abominable graft in all directions. Porters in hotels and on trains, bell boys, who expect 10 cents for bringing a jug of ice water to your room and they let you see it, too, by the expression on their faces. Elevator men in

hotels, dining-room waiters, who adopt a most obsequious air while attending to their duties, but who have a fighting expression if you leave without the usual 'tip,' and they know you next time. I wish you would touch on this point. Why won't the railways, their hotels and trains pay their men a living wage, instead of leaving it to the commercial men to pay more than half their wages? Senator Davis is right when he refers to it as graft and bribery, and neither you or any one else parts with these 'tips' willingly. Oblige by publishing this, or, if you decide not to, kindly return so that I can place it elsewhere.

H. J. Pooler.

The following is a letter from a gentleman well known in London, Ontario:

London, Canada,
May 11, 1914.

The Honourable Senator Davis,
Ottawa, Canada.

Honourable Sir:

Herewith I inclose an editorial cut from the London Advertiser re tipping, the most pernicious habit on earth and truly one which leads to dishonesty.

If your Bill pass you will require no further monument, as that in itself will for generations to come prove to the people of Canada that you were instrumental in removing one of the greatest obstructions the travelling public have ever encountered.

For twenty-five years I have travelled extensively throughout America and only yesterday returned from Europe, and we only had to glance around them to see that only those who practised the tipping system were properly looked after. My stateroom steward informed me before the boat arrived at Quebec that he received a very small salary from the Canadian Pacific railway, and of course largely depended upon the 'tipping' for the support of his family. This was done no doubt to work upon my sympathy to ensure a liberal 'tipping,' and I gave him $2; a friend of mine gave him $2.50. I might state here I was obliged to carry my own suit cases from an upper deck stateroom and aft to the ship. My friend's extra fifty cents saved his strength, and this is the point I desire to press. I paid $92.50 for my ticket from Liverpool to Quebec and would prefer paying $100 or more and no tipping. We are, of course, expected to tip all waiters, even 'boots' called at my stateroom and asked if I wished to see him, and you can guess the rest.

All hail to the body of senators who will force the wealthy Canadian Pacific railway and other strong companies to pay sufficient to their employees to abolish this system.

Further: on the ship's menu card the Canadian Pacific railway have printed: Private dinners may be ordered free of charge. A few friends travelling together (or even one person) can go to the head steward and order these and the result is the choice of the delicacies is of course kept from the passengers who have already paid for them, and this steward takes good care they have the best of everything because he knows there is a sovereign or two for his pocket. In this way steamship owners engage this steward for mere nothing. You can see here the injustice to the travelling public.

Then this same company advertise first-class orchestra on board. About two days before vessel lands some one of the ring suggests a collection for the orchestra. The sheet is passed around for subscriptions and all are supposed to enroll their names and with, say one hundred cabin passengers, the collection on the trip would be about fifty dollars.

I presume this orchestra is engaged by the company merely for their board.

Yours faithfully,
Geo. A. MacGillivray.

P.S.—The Strand Palace Hotel, London, England, is non-tipping; they have seven hundred rooms always full and I am told by men who know that the service is much better than at other hotels where tipping is tolerated. This same hotel company are building another 1,200-room hotel in London, and this is an evidence that tipping is most unpopular. These hotels charge for bed and breakfast 6 shillings. I was so struck with the editorial that I wished to acquaint you with my late experience.

Geo. A. McG.

I have received a letter from a writer, probably the same man whose letter opposed to the Bill was read the other evening. The language is so strong and offensive that I shall not read it. It shows the character of the men that some hon. gentlemen here are disposed to protect. The man who would write such a letter is nothing better than a thug. I have here an article from the London Standard which I should like to read:

The tipping evil.

Why should the patron of an hotel or restaurant pay high prices for his food and the hired help beside?

The Sunday editor of the New York Tribune sent a reporter out to the lobster palaces and gilded cafes of Gotham with the injunction: 'Get your meals there just as a regular patron would and don't give any tips.'

We are regaled with a story of how the reporter spent his money royally on filet mignon and chicken a la King, and denied the obsequious James who attended him and the numerous other flunkeys who infest a high-toned eating palace the usual tips.

He faced the scorn of the untipped for a week. He would return to a restaurant to note the expression on the countenance of the waiter who last served him. On a second visit he asked to be shown to a certain table but it was 'reserved.' He got a corner out of the way. On one occasion he announced that he did not give tips. The waiter laughed his unbelief. At another place where high tips were the rule he tendered a dime.

'What is that, sir?' asked the waiter.

'Your tip' was the answer.

'I should prefer that you give it to some beggar in the street,' returned the offended waiter as he handed the coin back.

This was on the Gay White Way in the most profligate city on the continent.

What of the less pretentious places of New York, or Montreal?

You don't have to go into the Ritz or the Windsor to insult a waiter with a ten cent piece or to brave his scorn by withholding the tip altogether. The tipping habit has come

to be such a nuisance that even in the cheap bars where the business man is wont to eat his ten cent bowl of soup or his ample meat sandwich the barman expects his coin, and may give you scant courtesy if you refrain.

Fancy going into a modest restaurant where you sit on a stool at a long counter and buy a quick lunch at an outlay of 25 or 30 cents. You are met at the door by a smiling maid who desires to serve you by hanging your hat on a peg. You get a check. She gets 10 cents. Then you hang your legs over the stool and invest in a sandwich or piece of pie. Price 25c. Another 10c to the obliging waiter or waitress who had the goodness to allow you to pay for what you ate. On your way out you encounter the shine boys and if you escape them you get into the street without further damage to your pocket, unless it be Tag Day when you are assessed another dime.

Then when you reach home in the evening and learn that your wife was over-charged two cents for the pound of beefsteak the family ate at noon your anger can hardly be restrained.

The tipping evil grows out of the circumstance that the waiters are not adequately paid. The restaurateur expects you to pay for your food (at high cost of living rates) and pay for his help as well.

The nuisance will not abate till some one starts the machinery of the law to compel the payment of decent wages to employees of hotels and restaurants.

Tipping is a nuisance to the general public. Apart from that, it is pauperizing many people, and that is not right. Let employers pay fair salaries. That is the view taken in the following letter:

Carman, Manitoba, May 14, 1914.

Senator O. H. Davis,
Senate Chambers,
Ottawa.

Dear Senator:

As one who has known you, in Prince Albert, also your son who kept, at the time I knew him, a store in the above-named city, in reference to your Anti-Tipping Bill, do you not think that it would be fairer to the employees of the different hotels, corporations, etc., that you should legislate to have them, the different employers of labour in this particular line of looking after the comforts of the travelling public, pay the employees a living wage.

Be fair, you know as well as I do that no man in this country can support a wife and family on a pittance of thirty or forty dollars a month.

Knowing you to be a friend of organized labour, and trusting you will give this matter your further kind consideration.

I remain, yours respectfully,
Thomas Farrell.

I was in a hotel in Montreal the other day with the hon. member from Prince Edward Island (Hon. Mr. Murphy), and I asked the proprietor: 'who pays the boy who takes care of the hats?' The reply was, 'Pay him! He pays me fifty dollars a month for the privilege of looking after the hat rack.' Then I said, 'The tips are going into your pocket?' He said, 'Only a portion,' and added, 'that fellow is worth twenty thousand dollars.' My hon. friend heard that conversation. It is the same in all the hotels, and the money that people are paying in tips, or a considerable portion of it, is going into the pockets of trusts and corporations who are keeping up this system of graft.

I move that the the following words be added to paragraph (b) of the proposed section 3A:

Or if he carries on business as keeper of a hotel, inn, restaurant, café, place for the sale of alcoholic beverages, barber's shop or place for polishing boots and shoes, or operates a railroad, dining, buffet sleeping or parlour car fails to put up and to keep posted up in at least two conspicuous places in the premises in which such business is carried on, or in such car, a notice that tipping is forbidden under penalty of fine and imprisonment.

Hon. Mr. EDWARDS moved that the committee rise and report progress.

The motion was agreed to.

BILL INTRODUCED.

Bill (189), An Act to regulate the manufacture, testing, storage and importation of explosives.—Hon. Mr. Lougheed.

The Senate adjourned until Tuesday next at eight p.m.

THE SENATE.

OTTAWA, TUESDAY, May 26, 1914.

The SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (190), An Act to amend the Judges Act.—Hon. Mr. Lougheed.

Bill (193), An Act to amend the Act respecting the National Battlefields of Quebec.—Hon. Mr. Lougheed.

Bill (200), An Act to amend the Yukon Placer Mining Act.—Hon. Mr. Lougheed.

Bill (201), An Act to amend the St. John and Quebec Railway Act.—Hon. Mr. Lougheed.

Bill (204), An Act to amend the Railway Act.—Hon. Mr. Lougheed.

Bill (205), An Act to amend the Dry Dock Subsidies Act, 1910.—Hon. Mr. Lougheed.

Bill (S 3), An Act for the relief of John Robinson.—Hon. Mr. Derbyshire.

HINDU IMMIGRATION.

Hon. Mr. CASGRAIN—Before the Orders of the Day are called may I ask the leader of the Government if any steps have been

taken with regard to those 400 Hindus, who are now, I understand, in a steamer waiting to know whether this Government will allow them to land in this country. I spoke about this matter here almost two months ago, and lately also. The information I have is that a test case is to be made of this attempt of the Hindus to enter the country. The question is a very very serious one, as the English white population of India numbers less than 200,000 people, and if something is done to prevent these people from entering this country there may be retaliation in India. I also understand that since the last arrangement made by the present Minister of Trade and Commerce—even if there had been any doubt on the subject before—we cannot now refuse to admit those people. I know the present is a poor time for labouring men to come to this country, but when we see men from all parts entering at the port of Quebec, Ruthenians, Poles, Galicians, Doukhobors, Assyrians, Greeks, Italians, and almost every nationality not living under the British flag—it seems very strange to refuse admittance to the Sikhs and Sepoys. They are a fine race of men, a law-abiding people who have given no trouble in British Columbia, where some of them have been for years, and make good mill hands. Some of them are licensed soldiers who have served in the British army, and it seems a very serious matter to deny them entrance into a British country. I am not in favour of bringing any more labourers into this country than we have employment for, but if any selection is to be made surely we should give a preference to our own in this country. I should like to know if anything is being done by the Government in this matter.

Hon. Mr. LOUGHEED—I am sorry I cannot give any information at the present moment to my hon. friend.

Hon. Mr. KERR—Would the hon. leader of the Government be able to give any information about that soon—to-morrow, or next day?

Hon. Mr. LOUGHEED—If my hon. friend will put a notice upon the Motion Paper, I shall be very glad to get whatever information I can.

Hon. Mr. CASGRAIN—I do not think it is a matter that can be dealt with by way of question to the Government. I am simply calling attention to it. To the British people living in India it would be reassuring to know that these Hindus will be admitted into Canada, because, if they are not, the white people in India will be exposed to retaliation.

Hon. Mr. LOUGHEED—I can say this to my hon. friend, that the Government is quite as deeply concerned upon the subject as my hon. friend is, and the subject is not being overlooked, I assure him.

CRIMINAL CODE AMENDMENT BILL.

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of Bill (179), An Act to amend the Criminal Code.

Hon. Mr. DAVIS—Is that the Bill which refers to fake advertising?

Hon. Mr. LOUGHEED: Yes.

Hon. Mr. DAVIS—I have received a number of communications on the subject, to the following effect:

> In accord with petition addressed to you by the Montreal Publicity Association, we urge upon you the necessity of eliminating the word "knowingly" from the fake advertising law, and making it an indictable instead of a summary offence to misrepresent in advertising.

I have received any amount of those.

Hon. Mr. LOUGHEED—There have been representations as to the desirability of making the law more drastic than it is. I understand those communications to which the hon. gentleman refers are along that line.

Hon. Mr. DAVIS—Yes.

Hon. Mr. LOUGHEED—On the other hand there has been an expression of opinion in this Chamber that the Bill is too drastic, so I think we have adopted what might be regarded as a reasonable measure to deal with such a subject. I would suggest our giving the present Bill a trial, and if it is found that it does not work satisfactorily, we can afterwards amend it.

The motion was agreed to, and the Bill was read the third time and passed.

THIRD READINGS.

Bill (171), an Act to amend the Customs Act.—Hon. Mr. Lougheed.

Bill (174), an Act to amend the Juvenile Delinquents Act, 1908.—Hon. Mr. Lougheed.

Bill (120), an Act to correct a clerical error in the Act 1-2 George V., chapter 118 'An Act respecting the National Weekly Indemnity Company,' and to change its name to 'The Merchants and Employers Guarantee and Accident Company.'—Hon. Mr. Young.

Bill (C-3), An Act respecting a certain patent of Frederick Sinclair Corrigan—Hon. Mr. Kerr.

CIVIL SERVICE ACT AMENDMENT BILL

THIRD READING.

The order of the day being called:

Resuming the adjourned debate on the motion for the third reading Bill 146 "An Act to amend the Civil Service Act," and the motion of the Hon. Mr. Choquette in amendment thereto.—(Hon. Mr. Choquette.)

Hon. Mr. DANIEL—I wish to take a third point of order with regard to this Bill, that the amendment proposed by the hon. gentleman from Grandville (Hon. Mr. Choquette), is ultra vires of Parliament. Section 133 of the British North America Act reads:

Either the English or 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 in both those languages.

I hold that the British North America Act gives Parliament no power to say what language shall be used in the provinces of New Brunswick or Ontario, or with regard to anything not mentioned in section 133 of the British North America Act.

The SPEAKER,—I have already, on two different occasions, on the 22nd February, 1912, and on the 3rd June, 1913, defined what was a money Bill and what are the powers of the Senate in dealing with Bills of that kind.

All Bills, the object of which are to raise money whether by way of loan or otherwise, or to warrant the expenditure of any portion of the same, are held to be money Bills.

They may be divided into three classes:—Tax Bills, Bills of Supply and Bills of Appropriation.

Tax Bills, for raising revenue to be applied towards the services of the current year, are founded upon resolutions of the Committee of Ways and Means.

In like manner, Bills of Supply, authorizing an advance out of the Consolidated Fund, or the issue of Exchequer Bills towards making good, supplies which have been voted by the House of Commons for the service of the year, emanate from the Committee of Ways and Means and are founded on resolutions..

When the Committees of Supply and Ways and Means have finished their sittings, a Bill is introduced, which enumerates every grant which has been made, appropriates the several sums which have been voted by the Committee of Supply, which shall be issued and applied to each service. This is known as the Consolidated Fund Bill, or more generally as the Appropriation Bill.

Todd (Parliamentary Government in the Colonies, 2nd edition, page 705), says: 'The British North America Act, 1867, sec. 53, declares, that Bills for appropriating any part of the public revenue or for imposing any tax or impost shall originate in the House of Commons. No further definition of the relative powers of the two Houses is ordinarily made by any statute, but constitutional practice goes much farther than this. It justifies the claim of the Imperial House of Commons (and by parity of reasoning of all representative chambers framed after the model of that House) to a general control over public revenue and expenditure, a control which has been authoritatively defined in the following words: 'All aids and supplies and aids to His Majesty in Parliament, are the sole gift of the Commons, and it is the undoubted and sole right of the Commons to direct, limit and appoint in such Bills, the ends, purposes, considerations, conditions, limitations and qualifications of such grants, which ought not to be changed or altered by the House of Lords.'

This right, our House of Commons have claimed to be their own, solely, when they enacted the 78th clause of their standing orders, which reads as follows:

78. All aids and supplies granted to His Majesty by the Parliament of Canada, are the sole gift of the House of Commons, and all Bills for granting such aids and supplies ought to begin with the House, as it is the undoubted right of the House to direct, limit and appoint in all such Bills, the ends, purposes, considerations, conditions, limitations and qualifications of such grants, which are not alterable by the Senate.'

All this lays down the fundamental and undisputed principle that no money Bill, coming from the House of Commons, can be altered or amended by the Senate, in its money clauses.

But a distinction has been made between the money clauses and the other clauses of a money Bill, and I am now asked to decide if a Bill containing a money clause and several others, which have not this character, should nevertheless be considered on the whole and in each of its clauses, as a Money Bill.

I have already given a decision, which is to be found in the Journals of the Senate, of the 3rd June, 1913, to which I refer this honourable House, and the conclusion of which may be framed in the following words:

'If the amendment attacks any money clause, it is evidently out of order. If it relates to clauses which may be the subject of an independent Bill, the Upper House may run the risk to adopt it, provided it is not in the line of the subjects pointed out by clause 78 of the Standing Orders of the House of Commons, and with the perfect understanding that should the Commons persist in the upholding of its privileges, even if it slightly maintains its objections, the Upper House should give in. (Vide Journals of the Senate, Vol. 48, page 537).

In the present case, it seems to me that the adoption of the amendment suggested by the hon. senator for Grandville, would be an encroachment upon the privileges of the House of Commons, and that should the Commons choose

to uphold its privileges, even in a moderate manner, the Upper House should give in. Notwithstanding my conviction that the point of order is well taken, I feel inclined to leave it to this House to decide, if, in the present instance, it should take such a risk as to clash with a standing order of the Commons, which declares that the Senate has no right to alter the conditions, limitations and qualifications of any grant made by the Commons.

I simply leave the point to the House to decide. In my opinion the point is well taken, but I do not give that as a decision. I want the House to decide it.

Hon. Mr. CHOQUETTE—If there is no appeal, the point is lost.

Hon. Mr. CASGRAIN—The Hon. the Speaker must make a decision, so that we can appeal.

The SPEAKER—It is no pleasure for me to give a decision, simply for the purpose of having an appeal.

Hon. Mr. POWER—I did not understand His Honour as he has been understood by some other hon. gentlemen. I understood His Honour to give as his opinion that the amendment is out of order.

Hon. Mr. CHOQUETTE—No.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. POWER—He did not care to take the responsibility of expressly deciding that point, but left it to the House to decide. I suppose the House, being illuminated by the opinion His Honour has read, will be prepared to decide the question. I would ask His Honour if he did not think the point of order that I raised at the same time —that the amendment of the hon. gentleman from Grandville (Hon. Mr. Choquette) was not relevant to the Bill—was not well taken?

THE SPEAKER—I wish to have the first point disposed of before dealing with the second.

Hon. Mr. CHOQUETTE—It is disposed of.

Hon. Mr. BEIQUE—I understood His Honour the Speaker to decline to pass upon the question of order, and leave it entirely to the House.

THE SPEAKER—The conclusion of my report is as follows:

Notwithstanding my conclusion that the point of order is well taken, I leave it to the House to decide, if, in the present instance, it should take such a risk as to clash with the standing order of the House of Commons which declares that the Senate has no right to alter the conditions, limitations and qualifications of any grant made to the Commons.

Hon. Mr. POWER—One of our rules declares that it is the duty of the Speaker to decide questions of order.

THE SPEAKER—I think I could find a precedent where my predecessor did not decide a point.

Hon. Mr. POWER—I do not remember any such case.

Hon. Mr. CHOQUETTE—I wish to move my amendment, striking out the words 'New Brunswick,' so that the amendment will read:

After January 1, 1915, no person shall be appointed in any capacity in the Post Office Department, in the city of Ottawa, and in the Province of Quebec, unless they can speak and write both official languages of the country.

The change is that I drop from the amendment the words 'New Brunswick.'

Hon. Mr. ROSS—This is Bill 146 on the Order paper.

Hon. Mr. CHOQUETTE—My amendment is to Bill 146 also; my hon. friend is quite right. This amendment is very plain, and does not affect the rights of the French or the English; it does not oppress one or the other. There are two official languages in this country, and it is only fair that those paid by the public, by both the French and English people, should be obliged, when they receive either a French or an English letter to reply to the writer of such letter in his own language. Those who are in the public service in Ottawa, when they are addressed in French, should be able to understand and answer in French; if addressed in English they should be able to understand and answer in English. This is very fair, and a very plain proposition. Outside of the Parliament buildings in Ottawa and the province of Quebec the amendment does not apply; although I should like that the Bill should apply to all the provinces, I am content that it should apply simply to the city of Ottawa, and the province of Quebec. Those employed by the Government in Ottawa, and taking money in Ontario, from English people, must be able to understand and answer those English people in their own language.

Hon. Mr. CASGRAIN—Hear, hear.

Hon. Mr. CHOQUETTE—And those who take the money from Quebec, must be in a position to answer and give information in the French language. I propose after 1st January next that nobody will have the right to get employment, and be paid by this Government unless he can

write, read, and speak both official languages of this country.

Hon. Mr. CASGRAIN—Hear, hear.

Hon. Mr. CHOQUETTE—I cannot see any reason why this amendment should be opposed. It simply requires that those who wish positions in the departments in Ottawa or in Quebec should learn both languages; if French people wish to be employed they will have to learn English, and if English people wish to have positions they will have to learn French; that is the whole amendment. It will mean that those who wish positions must be smart enough to learn both languages; they must not remain in a state of ignorance and incapacity as is the case at present. It will be just as fair for me and for my people in Quebec as for English people, because no one can get a position if he will not learn both languages. I wish to impose on French employees, as stated, the learning of English because it is an official language of this country; and also if English people wish to get a living from French people, I say they must learn French.

Hon. Mr. THOMPSON—Does the amendment apply to the Post Office Department or the Post Office delivery?

Hon. Mr. CHOQUETTE—Just those employed in the city of Ottawa, in the Government at Ottawa.

Hon. Mr. THOMPSON—In the Post Office Department of the Government at Ottawa.

Hon. Mr. CHOQUETTE—In the city of Ottawa in any capacity.

Hon. Mr. YOUNG—You will find the amendment on page 636 of the Minutes.

Hon. Mr. BEIQUE—We are proceeding irregularly; the motion should be put from the Chair. Let the motion be put so we will know where we stand.

Hon. Mr. DANIEL—How can His Honour put it if he thinks it is out of order?

Hon. Mr. CHOQUETTE—It was put from the Chair, and the member for St. John raised the point of order.

The SPEAKER—It has not been put today. It was put the other day, and the point of order was raised.

Hon. Mr. DANIEL—I have listened to the hon. member for Grandville (Hon. Mr. Choquette) but his arguments do not appeal to me as having very much force. If this amendment were passed into law it would create more hardship to the public in the province of Quebec than anywhere else.

Hon. Mr. CHOQUETTE—Do not mind that; do not be afraid of that; we will take care of ourselves.

Hon. Mr. DANIEL—Well, that is my view of it. With regard to the language of the post office officials in the various parts and cities of this Dominion, I think that is something that should be left entirely to the regulations of the Post Office Department.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. DANIEL—The authorities of the Post Office Department are surely much better judges of the requirements in certain parts of the country than Parliament, generally, would be. To my mind such course would certainly be more safe and equitable in every way; that is the proper place to leave it. On that account I am opposed to this amendment. In so far as the province to which I belong is concerned, certainly I was extremely opposed to it when the amendment was introduced, but I understand that the hon. member has withdrawn the province of New Brunswick from his amendment. At the same time, if the first point of order has been disposed of, I would like to press the point of order I raised just now, with regard to the amendment as being ultra vires of this Parliament—Ottawa being in the province of Ontario and not in the province of Quebec, and not affected in any way by section 133 of the British North America Act.

Hon. Mr. De BOUCHERVILLE—I would like to know on what Bill we are speaking now?

The SPEAKER—On item 6 of the order paper, resuming the adjourned debate on the motion for the third reading of Bill 146, An Act to amend the Civil Service Act.

Hon. Mr. De BOUCHERVILLE—I cannot approve of this amendment. To my understanding every post office in the province of Quebec——

Hon. Mr. CHOQUETTE—No, no.

Hon. Mr. De BOUCHERVILLE—'In Ottawa and Quebec.' Well, in Quebec they have to speak two languages. There are not two parishes in which men can speak English; so how would you be able to get the little post offices in all the little villages served by the employees who could speak both languages?

Hon. Mr. CHOQUETTE—I do not think it is very serious, except in regard to country postmasters in the province,

Hon. Mr. LOUGHEED—Permit me just at this moment, without wishing to interrupt the debate, to resume the discussion of the point of order which I took sometime ago, and upon which His Honour the Speaker has made a pronouncement. It seems to me that if we are to accept this as a precedent,—that His Honour the Speaker may express an opinion along certain lines, namely that the point of order is well taken, and yet refuse to rule that point of order must been observed,—that we are practically without a Speaker. If a situation is reached when the Speaker does not feel himself at liberty to rule on the point of order, I say, with all due deference, that the Speaker should call upon some hon. gentlemen, to take the chair and pass upon that point of order. I would suggest to His Honour the Speaker, in this particular case, for reasons which he has given and which are based upon past experience, that it would be no reflection upon him to retire from the chair, and call upon some member of the Senate to take the chair and pass on this question; because if this is not done, then the House is helpless when a point of order is taken in the future. If the occupant of the chair does not feel himself at liberty to pass upon a question, then to all intents and purposes this Chamber is without a presiding officer. I say it with all due respect to the Speaker, that it is desirable to have a decision on this point of order.

The SPEAKER—I thought I indicated sufficiently plainly in the document I read what was my opinion on the point of order. In my opinion, the point of order is well taken, but as I am accustomed here to have all my points of order overruled by the Senate, the hon. gentleman will understand that it is not pleasant for me to be told every time I think I am right, that I am wrong. That is the conclusion to be drawn from the vote of the Senate. It is due to my own dignity, because of the position in which I am placed, to leave it to the House to decide the matter itself.

Hon. Mr. LOUGHEED—His Honour the Speaker leaves it to the House; the House cannot decide a point of order; that is the difficulty. If it were possible to submit the question to the House as to whether the point of order is well taken or not, then the House could very well relieve the Speaker of the responsibility of passing upon it; but the difficulty still continue. Instead of the House being able to pronounce on the point of order, my hon. friend from Grandville (Hon. Mr. Choquette) proceeds with a discussion of the amendment which, according to the opinion of the Speaker, is out of order. We are seriously discussing a subject here on which there has been a pronouncement that it is out of order. That is entirely inconsistent.

Hon. Mr. CHOQUETTE—I rise to a point of order. With all due deference to my hon. friend he is completely out of order. The question has been decided and we have passed to the second stage of the Bill. The amendment is before the House, and my hon. friend has no right whatever to go back to a question which has been decided.

Hon. Mr. LOUGHEED—If my hon. friend takes that position, I do raise the point that His Honour has held this amendment to be out of order. He has expressed an opinion to that effect, and an opinion is a decision. Will anybody draw a distinction between an opinion of the Chair and a decision of the Chair? A decision is an opinion of the Chair, which is subject to being reversed on an appeal to the House. I appeal now to the Speaker, inasmuch as he has expressed an opinion that the point of order has been well taken, to say that it has been pronounced upon, and therefore cannot be further discussed.

Hon. Mr. POWER—His Honour has referred to the fact that on more than one occasion, his decision had been reversed by the House; and he felt that it would be infra dig, in fact, for him to give a decision which might be reversed by the House. I do not think that His Honour, if he stops to think, will persist in that opinion. I had, as some of the older members of the House know, the honour of filling the Chair which His Honour so well fills now, and on more than one occasion my decisions were reversed. That did not prevent me from going on giving decisions when questions were raised, and I did not feel that my dignity was hurt in the slightest degree. I wish also to call his attention to the fact that while on two or three occasions the House has reversed his decisions, on a great many occasions they have been sustained; consequently I do not really think there is an occasion for His Honour taking the position he does. Of course, that is a matter for him-

self. I understood as the hon. leader of the Government does, that when His Honour the Speaker said he was of opinion that the motion was out of order, that settled it that that was his decision.

Hon. Mr. CHOQUETTE—There is a great difference between an opinion and a decision. The Speaker has said 'I am of a certain opinion but I will not decide;' I cannot appeal against that. His Honour says that he has a certain opinion, but he does not feel like establishing a precedent. The Speaker has said 'I feel that the point is well taken, but I do not feel inclined to decide.' The matter is not settled. The House can give a decision by voting against the amendment or by adopting it. When we are proceeding to adopt this course the leader of the Government insists upon a point of order, and the hon. gentleman from Halifax, who has refused in many cases when he was Speaker to give a decision—

Hon. Mr. POWER—I do not remember declining to give a decision.

Hon. Mr. CHOQUETTE—The hon. leader has raised a question which is not before the House. Therefore, we are on the amendment and we have to vote for the amendment or against it.

Hon. Mr. POIRIER—The question is becoming more and more perplexing and I should like to know where we stand. If I understood the Hon. Speaker, he expressed the opinion that the point of order was well taken, and afterwards he asked the hon. House to pass on it. Does that mean His Honour the Speaker is appealing from his own decision? His decision must be final, if not appealed against.

Hon. Mr. BEIQUE—I propose, if the question is to be debated, to speak against the motion in amendment. I am inclined to think the point of order is well taken. What is the position? His Honour the Speaker expressed his opinion but did not proceed to give a ruling, and invited the House to consider the matter on its merits, and to see whether the House would not take the responsibility of deciding the matter. The House has acquiesced in that suggestion to this extent: that we have proceeded to discuss the question on its merits. The position is now exactly as it would be if we had been two days debating the question; surely it was clearly an acquiescence by the House in the course suggested by His Honour the Speaker when we proceeded to have a long discussion on the point. It is now too late to raise a question of order.

Hon. Mr. CASGRAIN—An hon. member can always raise a question of order.

An hon. GENTLEMAN—Not the same one.

Hon. Mr. BEIQUE—Yes, but when the point of order has been taken, and when it has been set aside, so to speak, by the suggestion of His Honour the Speaker and the House has acquiesced in this discussion of the amendment on its merits, it is too late to raise the point of order. It was open to any hon. member of this House to insist upon the Speaker's decision, being taken as a ruling. In such case His Honour the Speaker would have been bound to give his ruling; instead of giving a ruling he has invited the House to discuss the question on its merits, and the House has proceeded to do so.

Some hon. GENTLEMEN—No, no.

Hon. Mr. POWER—I did not understand His Honour the Speaker in the same way as the hon. member from DeSalaberry (Hon. Mr. Béique). I understood His Honour the Speaker to say 'In my opinion this motion is out of order, but I do not care to give a ruling or decision, and I leave that ruling to the House.' He did not say the House was to consider the matter on its merits. He said the question of deciding whether the motion was out of order or not was left to the House; I appeal to His Honour to say what he did mean. The hon. gentleman from Grandville (Hon. Mr. Choquette) has taken the ground that other business was entered upon. What happened was this: the hon. gentleman from Grandville undertook to say 'Well, the Speaker has given no decision, and I move this amendment,' and thereupon, before any action was taken by the House, the hon. leader of the Senate rose and insisted upon the point of order.

Hon. Mr. BELCOURT—The point of order raised is not without some importance and for the proper conduct of this matter it is desirable that we should know exactly what we are doing. My opinion is that there has been no ruling by the Speaker. He has expressed an opinion, but the presiding officer of this Chamber, like the Speaker of every deliberative assembly when a point of order is raised, has to decide it. He has to pronounce upon it one way or another, he has to give an affirmative or negative decision. If we go on in this way, when a point of

order is raised, and the Honourable Speaker turns it loose in the assembly, no deliberative assembly is possible—it is absolute chaos. Therefore, in my opinion the Speaker is bound to give a decision one way or the other. He is bound to say that the point is well taken or not. He said 'I think it is well taken but I leave it to the House to decide.' There is no possibility of conducting the affairs of this Chamber, or any other deliberative assembly if that practice prevails. I am not concerned in the matter one way or the other; I am not going to vote for the amendment, I think it is too limited. If the hon. gentleman makes the amendment that every official in the country shall speak both languages I will vote for it. If we allow the Speaker to shirk the duty of deciding, he will do it time and again and we will have absolute chaos in the House.

The SPEAKER—If I consult the opinion of the House, as indicated by the speeches which have been made, I have no hesitation at all in ruling the question out of order.

Hon. Mr. CHOQUETTE—Is that a precedent?

Hon. Sir MACKENZIE BOWELL—I rise to a point of order. The rules are very distinct: after the Speaker gives a ruling it cannot be debated, and the hon. gentleman has already spoken about a dozen times. If we carry on this debate in the manner in which it has been conducted, we may just as well go into committee and talk until daylight.

The SPEAKER—The hon. gentleman has a perfect right to appeal from the decision.

Hon. Mr. CHOQUETTE—I am not appealing.

The motion was agreed to, and the Bill was read the third time.

EXPORT ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (84), An Act to amend the Export Act.

He said: This is a very short Bill. It proposes giving powers to the Governor in Council to pass regulations prohibiting the export from Canada of petroleum in crude or partly manufactured state. Owing to the opening up of petroleum fields, not only in eastern Canada, particularly in New Brunswick, but in some of the western provinces also it has been thought desirable that the Governor General should have the right to exercise authority to prohibit the exportation of the crude article.

Hon. Mr. BOSTOCK—I must say that the Leader of the Government has not given us very much explanation as to this Bill. It seems to me it is a somewhat important Bill. There is, at the present time, a considerable amount of excitement in his own province of Alberta over this question of oil, and it would seem that the people who were interested in this matter will be rather taken by surprise if they find that they are liable to have the exportation of this oil stopped by the Governor in Council. We should have some very good reasons why it is desirable to do this. The very fact of putting this matter in the hands of the Governor in Council will place those people in such a position, that they will never know at what time this prohibition may be brought about. There may be a considerable amount of money invested in those oil wells; I understand it takes a considerable amount of money to find out exactly the value of an oil well, before the owners can really put it on the market. Under this law the owners then may find that the Governor in Council issues an order that they cannot export their oil. They may have a great deal more oil than is required for that particular part of the country; it may be much more to their benefit to ship this oil across the line, than to ship it east or west in this country. We ought to have a good deal more explanation about this Bill before we proceed.

Hon. Mr. CASGRAIN—What is the object?

Hon. Mr. LOUGHEED—The prohibition does not necessarily come into operation upon the discovery of oil. It seems to me that if oil is discovered in sufficient quantity to warrant the intervention of the Governor in Council prohibiting its exportation, the energy and enterprise of Canada should be sufficient to establish refineries in our own country. This is a principle that is recognized with reference to many of our natural resources; it seems to me it is not only a wise policy, but it is most desirable in the interests of the development of Canada, that we should proceed to develop our natural resources, and particularly in the conversion of the raw into the refined product. This is the case, not only with reference to many articles which I might mention, but particularly with reference to oil. My recollection is that the sugges-

tion came from the Imperial authorities. It is well known that there has been a desire on the part of the Imperial authorities to use oil as fuel for the fleet, and an effort was made in that direction a couple of years ago. The difficulty of procuring oil stood in the way, to some extent, in the carrying out of the object which the Admiralty had in view. Now if it should turn out that Canada is a fertile field in the production of oil, is there any good reason why we should not keep within the boundaries of the country the crude oil and refine it to the advantage of our people, and the building up, not only of our own industry, but the carrying out of the Imperial object to which I have referred—namely, to furnish the fleet of the empire with the fuel which is preferable to any other—if it is possible for us to do so.

Hon. Mr. BELCOURT—Does my hon. friend know of any Imperial enactment?

Hon. Mr. LOUGHEED—There was communication some time ago between the Imperial authorities and the Government of Canada with reference to adopting regulations of this character.

Hon. Mr. BELCOURT—I was under the impression that there was actually an Imperial enactment on the subject preventing the exportation of oil except to certain parts of the British Empire.

Hon. Mr. LOUGHEED—The Department of the Interior went so far as to pass regulations, which are now in force, as to the oil fields, to which my hon. friend directed our attention, so that those who are now operating those oil fields have had notice of the desire of the Government of Canada to enforce this policy. A question has risen as to whether those regulations can be enforced, in the absence of such legislation as that which is contained in the Bill. I am sorry I cannot give my hon. friend the information which he has asked as to the Imperial Government having legislated upon that question.

Hon. Mr. BELCOURT—I think there has been legislation.

Hon. Mr. CASGRAIN—This is a Bill in the right direction because I am in favour of always developing in this country all those resources that we can develop ourselves. The policy adopted by the province of Quebec with regard to pulp wood has resulted in large paper mills being erected there, very much to the advantage of that province. The prohibition by the Ontario Government, years ago, of the exportation of logs has resulted in the erection on the Canadian side of large lumber mills. The prevention of the exportation of petroleum in a crude or partly refined state will have a good effect in creating, and adding to the prosperity of refineries already in this country. Then subclause 2 of clause 1 shows that the putting into effect of this regulation has to be sanctioned by Parliament next session; therefore we are not giving too much power to the Government or to any one minister, for if the minister fails to have this sanctioned during the following section of Parliament, his ruling becomes null and void. This is a Bill in the right direction.

Hon. Mr. KERR—I do not agree with my hon. friend. I have a great objection to legislation by Order in Council. We have in Canada now, an enterprise which is capable of developing, and we should not interfere with it. If the oil production, now promised in the west, turns out to be of real value it will be time enough to pass an Act dealing with the subject; in such case the country will have had notice of the intention of Parliament, but this system of legislating in an upstairs room of the government buildings is, to my mind, most objectionable and most calculated to discourage any kind of enterprise. With such a sword hanging over them—for the Government of the day can, without a day's notice, suspend their operations—men with capital invested in the industry are exposed to the possibility of loss. If the Government is going to take the responsibility of saying that the exportation should be prohibited, then the prohibition should be in the form of definite legislation, and not an Act giving the Government power to do this by Order in Council. This proposed Bill is not a mere regulation of a trade. Men may put a large amount of capital into this business and have it paralysed in twenty-four hours, without notice to them of any kind. Any one can see that in a country like this, developing our resources as we are, there should be more freedom of acting; legislation should not be enacted until it is found advisable to do so in the public interest. This has not been shown in this case. I regard this as a most objectionable Bill.

Hon. Mr. BEIQUE—If Parliament was always in session I would be tempted to side with the views expressed by my hon. friend, but as Parliament is not always in session

it seems to me that this Bill is in the right direction. As was very properly stated by the honourable gentleman from De Lanaudière (Hon. Mr. Casgrain), the resolution, whatever it may be, remains in force only until the meeting of Parliament, and if it is not then endorsed by Parliament, the regulation lapses. If there was no power in the Governor in Council to make regulations during the recess, the very condition of things which the hon. member has in mind, might occur; large expenditures might be incurred in preparing for the export of the article, and then, when Parliament was ready to act, its action would affect vested rights and interests, and destroy the value of the expenditure, by way of advertising or otherwise, which might have been incurred. The legislation is proper; we have on our statutes many instances where the Governor in Council has taken the power to pass regulations.

The motion was agreed to, and the Bill was read a second time.

IRRIGATION ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (138), An Act to amend the Irrigation Act. He said: The Irrigation Act is a general water law governing the administration practically of all uses of water in the provinces of Alberta and Saskatchewan and the district of Keewatin. It has been amended from time to time as the result of the experience the Government has obtained in administering this law. The Bill before us does not introduce any substantially new features. The amendments are rather of a domestic character, the result of applying to the Bill the experience which the department has obtained from time to time.

Hon. Mr. BEIQUE—What is the effect of clause 7?

Hon. Mr. LOUGHEED—It proposes to vest in the Minister of the Interior the power of taking certain land, instead of in the Minister of Railways as at present. As the administration of the Act is entirely under the Minister of the Interior, my hon. friend will at once observe the desirability of the Act being administered by the one minister instead of by a divided authority, as is now the case.

Hon. Mr. BEIQUE—What is the reference made to the Railway Commissioners?

Hon. Mr. CASGRAIN—What has the Railway Board to do with it?

Hon. Mr. LOUGHEED—It is proposed that the Minister of the Interior shall be substituted for the Minister of Railways and Canals and the Department of Railways and Canals for the Railway Board, respectively.

The motion was agreed to, and the Bill was read a second time.

CANADA GRAIN ACT AMENDMENT BILL.

Hon. Mr. LOUGHEED moved the second reading of Bill (170) An Act to amend the Canada Grain Act.

He said: The object of this Bill is to give authority to the Minister of Trade and Commerce to administer a fund which will be paid out of the Consolidated Fund of Canada, for the payment of grain charges, in connection with the terminal and interior elevators which have been built by the Government.

Hon. Mr. DAVIS—Do we get that back in fees?

Hon. Mr. LOUGHEED—We get it back.

Hon. Mr. DAVIS—In fees?

Hon. Mr. LOUGHEED—No. Inasmuch as the Government is handling those elevators it is necessary to have the command of a certain amount of cash, owing to advances which are made, from time to time, in connection with grain placed in those elevators. Of course, those advances are taken out of the shipments and are carried to the credit of the Government; so it is not a payment out, but an administration of a fund.

Hon. Mr. WATSON—The elevators pay their own way; it is simply a question of book-keeping.

Hon. Mr. LOUGHEED—Yes.

The motion was agreed to, and the Bill was read a second time.

COMPANIES ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (177), An Act to Amend the Companies Act.

He said: This Bill proposes to amend the Companies Act, to permit of the issuance of share warrants; it also describes what the rights of the holders of those share warrants are. This cannot be done at the present time—as most hon. gentlemen know, who have had to do with companies, and particularly in the financing of companies in

Europe—the share warrant is a very much more popular form of certificate of the interest of the holder in a company, than the ordinary share certificates, and it is therefore proposed to amend the Act along those lines.

Hon. Mr. BOSTOCK—Has any application been made to the department to have this done?

Hon. Mr. LOUGHEED—There have been many applications, and it is owing to those applications that the Bill has been introduced.

The motion was agreed to, and the Bill was read a second time.

CANADA TEMPERANCE ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (180), An Act to Amend the Canada Temperance Act.

He said: The object of this Bill is to assimilate the Canada Temperance Act to the electoral conditions which obtain in Manitoba, Saskatchewan and Alberta. The provisions of the present Act are not in all respects applicable to the submission of the question before the electors of those provinvinces, and the Bill simply brings into conformity the machinery of the Act with the conditions which obtain there as to election lists.

Hon. Mr. WATSON—This is the Scott Act, is it not?

Hon. Mr. LOUGHEED—Commonly known as the Scott Act.

Hon. Mr. WATSON—The Scott Act has been submitted in Manitoba on previous occasions many years ago. I do not see any necessity for changes.

Hon. Mr. McSWEENEY—Are there not a couple of counties there now under the Canadian Temperance Act?

Hon. Mr. WATSON—I do not think so.

Hon. Mr. LOUGHEED—There are no radical changes, but the result of the submission of the question has suggested the desirability of making certain changes in the machinery necessary to properly submit and enforce it.

The motion was agreed to, and the Bill was read a second time.

MONTREAL HARBOUR COMMISSIONERS BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (191), An Act to provide for further advances to the Harbour Commissioners of Montreal.

He said: This Bill proposes to authorize the Governor in Council to advance to the Harbour Commissioners of Montreal nine million dollars, distributed in payments to be made during three years.

Hon. Mr. McSWEENEY—What is the rate of interest?

Hon. Mr. LOUGHEED—This is provided for in the Bill.

Hon. Mr. CASGRAIN—I want to congratulate the Government on bringing down this Bill. I am only sorry that they did not bring it down sooner. If it had been passed sometime ago many of the unemployed men in Montreal would have been employed during the past winter. In making these advances the Government lose nothing. I do not know if any other harbour in the country meets its payment regularly. Various advances of this kind have been made for the benefit of Canada, that the trade of the country should be carried cheaply to and from the port of Montreal, and the Government is not out one cent. The port of Montreal pays the interest regularly and will continue to do so. They have increased the harbour dues. In fact I have been asked to bring up this increase in the way of a complaint, but I declined to do so, because the increase of dues was necessary to provide money to meet the interest on advances made by the Government. The Bill is the right direction.

Hon. Mr. BOSTOCK—Are they deepening the harbour of Montreal?

Hon. Mr. CASGRAIN: Certainly.

Hon. Mr. DANDURAND—I see that one of the objects of making this advance is to complete the construction of the terminal facilities of the harbour of Montreal for which plans, specifications and estimates have been approved by the Governor in Council. Could the honourable gentleman tell us if these are the plans that were prepared some four or five years ago by an expert who came over from England, and who had charge of the superintendence and

improvement of the ports of Great Britain? Are these the same plans or has there been any change made in them?

Hon. Mr. LOUGHEED—I cannot tell that. I can indicate what the proposed programme for 1914 is, upon which there will be an application of those advances.

QUEBEC HARBOUR COMMISSIONERS' BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (192), An Act to provide for further advances to the Quebec Harbour Commissioners.

He said : This is to authorize the Governor in Council to make an advance of two million dollars to the corporation of the Quebec Harbour Commissioners, to be expended in the improvement of the harbour of that city.

Hon. Mr. BOSTOCK.—Is this commission doing as well as the commission in Montreal? How are they getting on?

Hon. Mr. LOUGHEED.—I understand that this commission since it came into office has been able to meet its obligations. The present commission was appointed two years go, and since then it has met its obligations; up to that time it could not be said that such was the case.

Hon. Mr. CHOQUETTE—I congratulate the Government upon the loan to the Montreal Harbour Commissioners. I generally congratulate the leader of the Government when he is doing right. The amount required by the Quebec Harbour Commissioners is not as large as that given to Montreal, but our harbour does not require so much money, because Quebec has a natural deep water harbour. As for the interest, I am sure that Quebec has always met its obligations, and in this case I have no doubt it will do better than Montreal. I must say that the hon. commissioners so far have been doing very well. They have accomplished a great deal of work, and I hope they will do yet more. The terminals of the Transcontinental railway ought to have been ready by now, but I hope they will soon be ready and I trust that when more money is needed the Government will give it.

The motion was agreed to, and the Bill was read a second time.

TORONTO HARBOUR COMMISSIONERS AGREEMENT.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (196), An Act respecting The Canadian Pacific Railway Company, The Grand Trunk Railway Company of Canada, and The Toronto Harbour Commissioners.

He said: This is a Bill to permit the Canadian Pacific Railway Company, the Grand Trunk Railway Company, The Toronto Terminals Company and the Toronto Harbour Commissioners to expropriate certain properties for the building of a viaduct which has been mutually agreed upon in that city.

Hon. Mr. BOSTOCK.—Has the work been started yet?

Hon. Mr. LOUGHEED.—No, I do not think the work has been started; the plans have been approved. It is proposed to enter upon the work at once.

The motion was agreed to, and the Bill was read a second time.

INDIAN ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (114), An Act to amend the Indian Act.

(In the Committee.)

On clause 1.

Hon. Mr. DAVIS—To what schools does this clause refer?

Hon Mr. LOUGHEED—The object is that in provinces, other than the western provinces, where the Government would not be warranted incurring the very large expenditures involved in building Indian schools, the Government should have authority to declare any existing schools—that is schools carried on by the municipalities—an Indian school for the purpose of educating say one, two or more Indian scholars that might be in that particular community.

Hon. Mr. DAVIS—Indian scholars are not educated by any school in the municipality, unless there is some religious denomination to educate them. Speaking generally that has been my experience.

Hon. Mr. LOUGHEED—This is simply to deal with isolated cases where there may be two or three children. They may declare a certain school to be an Indian school.

Hon. Mr. DAVIS—My hon. friend would probably agree with me that it would be much better for the Government to take the two or three Indian children and put them into some other school, than to declare any school of that kind an industrial school, because as soon as you do that an enormous expense is incurred.

Hon. Mr. LOUGHEED—The necessity for this legislation arose through a difficulty arising as to the education of two Indian children in the province of New Brunswick; it will only be applied in very rare cases.

The clause was adopted.

On clause 4:

4. Subsection 4 of section 16 of the said Act is amended by inserting the words "wife and" after the word "the" in the first line thereof.

Hon. Mr. BOSTOCK—What is the object of inserting the word 'wife' there?

Hon. Mr. LOUGHEED—After the passing of this section eight or nine hundred withdrawals took place, no question being raised as to the wife retaining her membership of the band from which her husband had been withdrawn. In case no application has been made by the wife, she remains a member of the band, and this created a very unsatisfactory situation, as it frequently resulted in the living apart of the husband and wife, or the husband living on the reserve, where he has no right to reside.

Hon. Mr. DAVIS—There are two sides to the question. Very often an Indian is very anxious to leave the band for the reason that he can get out and have all the privileges that a citizen has in obtaining liquor, and all the hundred and one things that the white man enjoys at present, which the Indian on the reserve cannot have. The wife has the family around her, and if she is taken out of the band she sees nothing but starvation ahead. The woman should be allowed to stay in the band instead of being thrown out where she cannot make a livelihood.

Hon. Mr. LOUGHEED—There may be certain cases of hardship. I have no doubt but what the hon. gentleman says is correct, but the great majority of cases would be the reverse. However, owing to the solicitude exercised by the Department of Indian Affairs for the comfort of the Indians, my hon. friend would have to rely upon the officials of the department exercising their best judgment, so that no hardship will arise. It is a difficult matter to overcome.

The clause was adopted.

On clause 6.

6. Section 49A of the said Act as enacted by section 2 of chapter 14 of the Statutes of 1911 is repealed and the following is substituted therefor:—

49A. In the case of an Indian reserve which adjoins or is situated wholly or partly within an incorporated town or city or in the immediate neighbourhood thereof or which is so situated as to materially retard the natural development of the surrounding country, which reserve has not been released or surrendered by the Indians and which the Indians refuse to surrender, the Governor in Council may, upon the recommendation of the Superintendent General, refer to the Exchequer Court of Canada for inquiry and report the question as to whether it is expedient, having regard to the interest of the public and of the Indians of the band for whose use the reserve is held, that the whole or any portion of the said reserve should be sold for the benefit of the Indians, and that the Indians should be removed from the reserve or any part of it.

Hon. Mr. DAVIS—I protest against any legislation which will militate against the right of the Indians to remain on the reserve. We in Canada have not been troubled with the Indians as they have in the United States, where such trouble has cost hundreds of millions of dollars and countless lives. We have never had such trouble in this country, simply because the Indians have, up to the present time, been properly treated by the Government of the country.

Hon. Mr. WATSON—In good faith.

Hon. Mr. DAVIS—The Indians have always relied on the good faith of the Government of the day, no matter which party might be in power. Now, because the country is settling up with people, and we have speculators and others who come into the country and cast longing eyes on the property of the Indians—these newcomers build a little town there, and say 'our property is not going to increase in value because of the Indian reserve'—and they force the Indian to abandon his reserve. The reserve is the property of the Indians; we took the whole country from them, and all they get is the little piece of property handed back to them. I submit nothing should be done to take away the rights of the Indians. The Indian should not be asked to agree to legislation such as this. I am opposed to it.

Hon. Mr. LOUGHEED—This clause is passed for the manifest advantage of the Indians. It is very well known that, where reserves are in the vicinity of the cities,

towns or larger villages, the result is more or less demoralizing to the Indians. There have been cases where it has been decided to dispose of the reserves belonging to Indians contiguous to the larger communities. The question arising in all such cases was this: the Indian recognized the desirability of selling the reserve, yet held out for his own terms—those terms invariably being that the whole of the money should be paid over to the band instead of half of it being invested—as is the policy of the Indian Act, for the Indians. Take for instance the case in British Columbia which arose there a short time ago, and in which there was no question as to the desirability of the reserve being sold. It was very demoralizing to the Indian to have his reserve adjoining a very large city, but the Indian said, 'we will sell this reserve providing the whole of the money be given to us.' We won't permit the Dominion Government to receive any of this money to be invested for us, as is the demand of the Act. The consequence was that the provincial Government, of its own motion, entered into negotiation with the Indians and paid the entire fund over to the Indians. My hon. friend will not undertake to say that the payment of that entire amount to these Indians was a wise or a politic proceeding; at the same time they would have refused to surrender their title had this money not been paid over to them in its entirety.

Hon. Mr. WATSON—What right had the provincial Government to take that land?

Hon. Mr. LOUGHEED—They dealt with the Indian.

Hon. Mr. WATSON—What right had they to deal with the wards of the Dominion Government?

Hon. Mr. LOUGHEED—The contention of the Government of British Columbia is that the reversion of the reserve belongs to the provincial authoriy, and that immediately the Indians disappear from that reserve, the reversion passes over to the provincial authority.

Hon. Mr. WATSON—Did the Indians voluntarily leave that reserve?

Hon. Mr. LOUGHEED—They voluntarily negotiated, or allowed negotiations on their behalf with the provincial authorities for the purchase of the reserve, and the Indians, entirely irrespective of the Dominion Government, surrendered their title to the provincial authorities, and the whole of the purchase money was paid over to the Indians. I have no doubt that before very long that enormous sum—some $200,000 or more—will be dissipated. It would have been very much more to the interest of the Indians if the federal Government could have intervened in their behalf, and could have transferred that reserve to the provincial authorities upon terms which they themselves would have dictated to the authorities, and would have been placed in a position to have controlled the purchase money which in due course was paid over by the province to the Indians.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. LOUGHEED—The object of this legislation is to permit of the Dominion Government intervening where a condition of that kind arises; they can negotiate for the transfer of the reserve upon terms which, of course, will be advantageous to the Indians. They then pay over one-half of the money to the Indians, and invest the other half.

Hon. Mr. DAVIS—There would be no objection to that, but I want to draw my hon. friend's attention to the fact that to-day there is an agitation in the settled part of Saskatchewan or Alberta around those Indian reserves. It is very well known to my hon. friend who is from the West, that the Indians exercised a very great deal of judgment in selecting tracts of land for reserves, and naturally the settlers coming in look with jealous eyes to those tracts. My hon. friend wants to sell those lands and transfer those Indians to other reserves; the new comers will still look with hungry eyes to these new reserves.

Hon. Mr. LOUGHEED—This money belongs to the Indian, and if he is transferred to another reserve, and that reserve comes into value, the Indian is that much ahead.

Hon. Mr. DAVIS—I have no objection at all to your paying over to the Indian a certain amount of money, and reserving one-half of the money or any amount of the money, but I do object to the Government taking the property of those people without their consent. There is no doubt you can get their consent; British Columbia got their consent to a sale of property of $200,000 that was worth several millions of dollars.

Hon. Mr. CASGRAIN—Hear, hear.

Hon. Mr. DAVIS—I understand that property was worth over three million dollars, but the British Columbia Government came along and managed to get hold of it—I do not know by what means—and took it away from those poor people for $200,000; and now my hon. friend complains that they have squandered that money. I understand the Government drove the Indians off the reserve, and burned their houses. I do not approve of this legislation at all, because it is not going to stop; if you are going to force the Indians off their reserves you will have trouble. My hon. friend knows what political pull and political influence is. There was a provision in this Bill that a town must have not less than 8,000 of a population, but now that has been cut out entirely and any kind of a little place of eight or nine houses, I suppose, would be considered a town, and if they had people around that had enough political pull, they might bring this Act into force. I know just exactly what will happen, because I have been up against this thing; the same agitation has been going on at Duck Lake for seven or eight years, to get those Indians from their locations. People say, 'My land is of no value so long as those Indians are around here,' and then they come down here, and advance arguments that it is better for the Indians to be away. I have not seen anything wrong with the Indians at Duck Lake. They have large bands of cattle, they are self-supporting, they are educating their children, they are getting along finely. I am satisfied that fewer of them squander their money around the village than do the whites and half-breeds. Still the agitation is going on to get rid of them. If this Bill goes through, we will have delegations coming down here trying to get the Government to remove those people and take them away to some other place.

Hon. Mr. LOUGHEED—My hon. friend is laboring under a misapprehension; it is not the Government that does it; it is Parliament that does it. If my hon. friend will look at the provisions of the section he will find the Government sets this machinery in motion; it goes to the Exchequer Court; the Exchequer Court makes a report upon it; the report is brought down at the next session of Parliament; and then under sub-clause 5 of the clause he will find.

Upon such findings being approved by resolution of Parliament the Governor in Council may thereupon give effect to the said findings and cause the reserve, or any part thereof from which it is found expedient to remove the Indians, to be sold or leased by public auction

So that my hon. friend will have a voice in this just as much as anybody else. It is all subject to Parliament.

Hon. Mr. DAVIS—My hon. friend will find that those gentlemen I referred to a while ago, who want to drive the Indians off their land, will be in the lobby here trying to get the thing put through. These Indians are the wards of the Government, and up to the present time we have treated them fairly. However, we have taken their lands and everything they possess, and have given them some small reserves, I say it is a shame to take away those reserves unless the Indian himself is satisfied.

Hon. Mr. BEIQUE—I understand that the policy of the Government and of all governments has always been to maintain reserves for Indians; if the Indians have to be removed from any reserves belonging to them, the policy has been that, instead of purchasing the reserve by paying a sum of money, another reserve is substituted for the one which is taken. That is the proper policy, otherwise the money might be spent or squandered by the Indians, and their families might be left as a burden on the country. Now this Bill provides for the removal of Indians from one reserve to another for the purpose of the development of the country. Under the Bill this machinery will take effect only when the removal is required in the interest of a development of a section of the country. The provision has been heretofore limited, I understand, to cities. Now this limitation is wiped out and the effect of the Bill is extended. I am altogether in accord with the economy of the Bill. It is provided by this first section that the recommendation of the removal is to be obtained from the Exchequer Court of Canada, which recommendation is to be presented to Parliament for action. This provision is limited to the removal of the Indians from the reserve, that is, it is limited to the expropriation; but when we come to sub-clause 7 of clause 6 we find this:

7. The Indians shall not be removed, or the reserve or any part thereof be sold, leased or in any other way dealt with until another suitable reserve has been obtained and set apart for the Indians.

Hon. Mr. DAVIS—Who is to be the judge of that, whether it is a suitable reserve, is the Indian himself to leave his home where

he has buried his children and raised his family, and to be carried off, and not know where he is to be put? Development—that was the cry in the United States; it was for development that they drove the Indians out.

Hon. Mr. BEIQUE—I believe if the Exchequer Court in Canada is to pass upon the question, and hear the parties before passing on the question; if the court is to pass upon the question as to whether the Indians should be removed from the reserve, the court should likewise in its report suggest a reserve which, in its opinion, shall be a suitable reserve.

Hon. Mr. DAVIS—In the opinion of the Exchequer Court?

Hon. Mr. BEIQUE—And the Indians should be heard on that question; so that when the question comes before Parliament the report of the Exchequer Court shall be complete for the consideration of, and action by Parliament. I would therefore suggest that words, something to this effect, be added to the first sub-clause after the words 'and that the Indians should be removed from the reserve or any part of it':

To another reserve or part of a reserve which in the opinion of the said court shall be a suitable reserve or part of a reserve.

Hon. Mr. LOUGHEED—If you will draft out the amendment I shall accept it.

Hon. Mr. DAVIS—I read in sub-clause 1 of section 6,

In the case of an Indian reserve which adjoins or is situated wholly or partly within an incorporated town or city.

Will my hon. friend tell me how an incorporated town or city could be located on an Indian reserve without the consent of the Indians? How did that town get there, without the consent of the Indians; I would like to know that?

Hon. Mr. LOUGHEED—Well it covers every condition of case.

Hon. Mr. DAVIS—But my hon. friend knows that as a matter of fact he cannot go on an Indian reserve with any legal right and build a town or incorporate a town, without the Indian giving his consent under the legislation that we have now on the statute-book.

Hon. Mr. LOUGHEED—There might have been a surrender at one time of a portion of a reserve on which a city or town might have been built.

Hon. Mr. DAVIS—Then the Indian has given the land up already.

Hon. Mr. LOUGHEED—He may have done so.

Hon. Mr. DAVIS—Then in that case you have got the land, and then you want to remove the Indian away from it. My hon. friend (Hon. Mr. Beique) talks about the Exchequer Court. He is probably a judge of Exchequer Courts but he is not a good judge of Indians. I have lived among the Indians and know all about them. The idea of an Indian getting his rights before the Exchequer Court! You are going to bring them down here to plead before the Exchequer Court! The Indians are merely children that is all; you would have to bring down interpreters and all that sort of thing. We took the country from the Indians and we made solemn treaties with them, they have those reserves; and I claim you cannot pass this legislation without interfering with those treaties that were adopted by the people of Canada, and the Indians in council assembled in years gone by. We have always stuck to those treaties, and we have no business to introduce legislation like this that is going to interfere with those treaties. The Indians have a right to those reserves; they were given to them as a part of their compensation for leaving this land and giving their land over to the people of this country for development. They have lived on those reserves all their life; they have brought up their families, they have buried their children, they have built their little church on it, they know every hill and valley on it; and now a lot of speculators come along and, because of the development my hon. friend talks about, they want to take the Indian and run him off, they do not know whether the new location is a proper location for the Indian or not. I tell you it is pretty nearly time there was a halt called, the Indian should be left in possession of what he has, and he should not be dispossessed until he is willing to agree.

Hon. Mr. BOSTOCK—The hon. leader of the Government in his remarks referred entirely to the question of incorporated towns and cities. The case in Vancouver to which he referred was completed in spite of the Act of 1911. If the Government had wanted to get the Indians off the Kitsilano reserve, they should have proceeded under the Act of 1911. They would have been able to deal with the question as they propose to do under this measure. But instead of dealing with the Indians under the Act of 1911, the

Government allowed the provincial authorities to go in and make their own arrangements with the Indians. Apparently the Indian agent, and the inspector of Indian agencies in British Columbia, knew nothing about this particular case until it was practically settled. That is a point to which the attention of the Government should be drawn—that those arrangements between the provincial governments and the Indians should not be allowed to be made in the future. This clause under consideration provides that in case an Indian reserve adjoins or is situated wholly within an incorporated town or city, or in the immediate neighbourhood thereof, or which contains more land than is necessary for the use of the band, or which is so situated as to materially retard the development of the surrounding country, the Government may take action. The latter part of the clause which I have quoted is very wide indeed, and might be made to apply to almost any part of the country or any reserve. I do not see why the Government wants that particular power. I could understand the necessity of it where the reserve adjoins or is situated wholly or partly within an incorporated town or city or its immediate neighbourhood. But when they ask power to take a reservation which is situated where it might 'materially retard the natural development of the surrounding country' I think it is going too far, and I am going to move that these words be struck out:

or which is so situated as to materially retard the natural development of the surrounding country.

Hon. Mr. LOUGHEED—That is entirely the policy of the section. Does my hon. friend contend that an Indian reserve should be continued that is retarding the settlement of the surrounding country? Surely my hon. friend is not in favour of retarding settlement. The Exchequer Court and Parliament have both to pronounce upon it; it is surrounded by every safeguard. There are cases of that kind. For instance I know of such a case myself—in fact I know of several cases in the Northwest—where Indian reserves seriously retard settlement and not only the settlers, but every interest within reach of that settlement, and where it would be manifestly in the interest of the Indians themselves that they should be removed to another locality.

Hon. Mr. DANDURAND—Could not the same allegation be made against any and all reserves? I know nothing of the Indians in the West, and I should rather hold to the opinions of western members in this House on the question; but I feel that the point which my hon. friend from British Columbia makes is right. That is why this allegation can cover all reserves, and the same affirmation can be made against all reserves.

Hon. Mr. LOUGHEED—The Government should be the judge, upon proper representation being made as to what is retarding settlement. We cannot conceive, perhaps, at the present moment a case of the kind, but let us assume by way of illustration that there is a reserve which may not be said to be within the immediate neighbourhood of a large community such as a city, town or village, but which may be ten or fifteen miles distant—a reserve which may occupy several hundred thousand acres, a reserve standing there unoccupied, unsettled, retarding the growth of the cities or towns nearest to it, and in no way contributing to the building up of roads and bridges.

Hon. Mr. CASGRAIN—What reserve is like that?

Hon. Mr. LOUGHEED—I can point out many reserves like that. Take for instance the reserve near Panoka, the Sarcee reserve ten miles from Calgary. Take for instance a section of the Blackfoot reserve. What advantage is there to the Indians that those reserves, covering a couple of hundred thousand acres, should be locked up, that settlers should not be permitted to go thereupon, that the towns and villages which are depending upon the development of the surrounding country should be deprived of that enormous area of land, that the farmers and others should be deprived of having roads and bridges built on those reserves. Those reserves remain in a state of nature; roads are not opened up, bridges are not built; they stand in the way of the development of the country. Surely the Government charged with this duty is a very much better judge as to what should be done in the interest of the Indians than anyone else. One would fancy that the Government of the country, who are the trustees of the Indians, have not been watching the interests of the Indians. If there is anything which Canada deserves to be congratulated upon since Confederation it is the way is has treated the Indians.

Hon. Mr. DAVIS—Up to now.

Hon. Mr. LOUGHEED—Yes, up to now. Canada deserves to be congratulated for its administration of Indian affairs—the protection given to the Indian, and the administration of all his interests—and this is in that line, and is a most forward movement.

I say advisedly that it is a more progressive movement in the interest of the Indians than almost anything that will be found on the statute-book. I say this from my personal knowledge, having lived in that country for a great number of years, and having some knowledge of what is in the best interest of the Indians.

Hon. Mr. DAVIS—Does not the hon. gentleman know that treaties were made with the Indians? Do you propose now, without the consent of one of the parties to the treaty, to take away the property of these people? The hon. gentleman talks about the country standing by its agreements. Surely the treaty with the poor Indian should be respected and observed the same as other treaties. Long ago the Government of Canada and the Indians signed a treaty by which the Indians were to retain these reserves, and the Government agreed that there should be no interference with those reserves except both parties consented. That is the ground I take, that the consent of the Indians should be obtained. The hon. gentleman talks about the reserves preventing the development of the country. In what way does the Indian keep back the development of the country? From my knowledge of the Indians of the reserve, I say they are making more wealth than those who wish to remove them. They have their schools and churches; they farm their lands, and have large bands of cattle, and the Government look after getting good breeds of cattle for them. Those reserves are their homes, and you have no right to interfere with them, unless they are satisfied themselves to part with their lands. My hon. friend says they tie up great tracts of lands. The average Indian is just as astute as many of the white men. If you can show the Indian that it is to his advantage to sell a portion of his reserve, you will find the Indians prepared to sell. They have done it before. We have had surrenders of parts of reserves. There are lots of cases in the West where the Indian found that he had more land than he could look after, and he sold it, because he likes to have the money. There is no difficulty about that; but it is one thing to get him to release a portion of his reserve for the purpose of getting its value in money, and have the money invested so that he will get the benefit of it, and it is quite another thing to take him and his family away from their reserve to some other place without his consent. We made treaties with those Indians and they should not be broken. Up to this time we have no trouble with the Indians, simply because we have kept our treaties. If we agreed to give the Indian anything, he got it. This land was given to them; now you are starting to put the thin end of the wedge in to break up the treaty. It is not right, and it will lead to trouble. The best thing to do is to leave the Indian alone.

Hon. Mr. TALBOT—Are there any instances in which the Indians have agreed to give up their reserves? In all cases, I believe their consent could be obtained. I do not like the idea of compelling them to abandon their reserves.

Hon. Mr. LOUGHEED—I can tell of cases of this kind. It is a well known fact, where it has been in the interest of certain individuals to secure a surrender of the Indian title, that they have done so through fraudulent or corrupt means, getting a certain section of the band to vote in favour of what would manifestly not be in their interests. The policy up to this time has been to leave these matters to the Indians, and they have voted as to whether they should surrender their interests. It is not a difficult thing for hon. gentlemen to imagine the means that may readily be resorted to by interested parties to corrupt the Indian and induce him to come to a certain conclusion. The interest of the Indian can be very much better administered in the way I have indicated, surrounded by all those safeguards by the Governor in Council, by the Exchequer Court, by Parliament itself than to permit interested parties to promote their own ends, to go upon Indian reserves and corrupt a certain section of the Indians that they may vote in favour of a surrender of the very valuable interests which those reserves represent. I can say with the greatest measure of confidence that the interests of the Indians are very much better protected in the hands of the Government than if they were left to themselves.

Hon. Mr. WATSON—Does the hon. gentleman propose to take away the old system of surrendering lands?

Hon. Mr. LOUGHEED—No.

Hon. Mr. WATSON—Then you still leave the degrading influence that you speak of.

Hon. Mr. LOUGHEED—No, because in the event of the Government being apprised, as they necessarily would be, of means of that kind being resorted to, they can intervene and place in motion this machinery. Had this machinery been used in con-

nection with the reserve to which I have referred in British Columbia, those Indians would have been much better off—in fact, to the extent of a very material amount.

Hon. Mr. BOSTOCK—I tried to point out to the hon. gentleman just now that you had this machinery at that time, and it was not put into force. That Act was passed in 1911, when the question of the Songhees reserve came up. It was practically passed for the purpose of dealing with that reserve, to complete the negotiations carried on in British Columbia; that Act of 1911 was in force at that time, but the Government allowed that arrangement to go on with the provincial Government with regard to the Kitsilano reserve.

Hon. Mr. LOUGHEED—No we did not allow it.

Hon. Mr. BOSTOCK—It was curious that it was carried on without the Government knowing anything about it. There was an Indian agent at Vancouver.

Hon. Mr. LOUGHEED—He was not a party to it. This was entirely on the responsibility of the provincial authorities and the Indians themselves.

Hon. Mr. BOSTOCK—If the Government was not able to stop that arrangement with the Act of 1911 in force, how can they do it in the future.

Hon. Mr. WATSON—I fully agree with the object of the Bill, so far as removing Indians from the towns. There is no question about that at all, but I do think you are going further than is absolutely necessary when you say "or which is so situated as to naturally retard the development of the surrounding country." I am in sympathy with the hon. gentleman from Prince Albert when he says he believes the treaties made with the Indians ought to be carried out entirely. I do not think the methods described by the Leader of the House are very often adopted to get Indian reserves. I know something of the Indians and my idea is that they are very very careful in council. They elect the best possible men in their council, and they meet, and have frequent conference with the Government officials before they agree to surrender any portion of their reserve. I have been somewhat familiar with their dealings in the West for some years, and my idea of the Indians and the chiefs and their councils is that these are composed of just about as careful and cautious people as you would find among white men; they take some days to consider a proposition, and they have thoroughly to understand the negotiation being made with them for the surrender of any portion of the reserve. Even supposing a reserve should retard settlement in certain districts, Mr. Indian has some rights and we should respect those rights. I am entirely in sympathy with the suggestion of the leader of the Opposition in that we should omit those words. If we take the power we have in this Act to dispossess the Indian by the method suggested in this Bill in the case of an incorporated town, or city, or in the immediate neighbourhood, we are going far enough. Generally speaking we should have the consent of the Indian for a change of this and you may have the degraded Indian in the town or city, but if you get out in the rural districts there is no degradation among the Indians any more than there is among the white men.

Hon. Mr. DAVIS—My hon. friend alludes to the demoralizing influence of men going in to get a surrender of land from Indians. My hon. friend suggests in place of these men using influence with the Indian, trying to get him to surrender his own property, they want to come down here and use the influence of some other people to get them to take away the property of these Indians. As the hon. gentleman from Portage la Prairie has said the Indians elect the most astute men to their councils. The Indians do not jump at conclusions; they take a majority vote of the whole band. They consider the matter not only for hours but for days, and Mr. Indian will not agree to anything unless he thinks it is for his benefit. I do not think it is fair not to give him a voice in disposing of property given to him. We were very glad to make the treaties with Indians in the early days; when all the Indian warfare was going on in the United States we were glad to get our treaties settled. Now that the Indians are settled and peaceful to pass an Act of Parliament taking away any portion of their property without their consent is not right,—we should be ashamed to do it. A treaty is a treaty.

Hon. Mr. CASGRAIN—I am in favour of striking out those words 'or which is so situated as to materially retard the development of the surrounding country.' I have been in that country and I understand the Indians near the city may become demoralized, but when they are away from cities I believe they become so. I have in

my hand a petition from the Chief Joseph Laurent of St. Francis, Yamaska county, Quebec, praying on behalf of the Abenakis that the Bill to amend the Indian Act as respects the appropriation of the Indian reserve now before Parliament, may not become law. The purpose of this request would be that the Abenakis Indians would not be included in this. On their reserve, which is only a thousand arpents, there is one Methodist church, two Protestant churches, two presbyteries, one convent, one Protestant school, about one hundred houses, several other buildings, about 400 people; most of the Abenakis can write and speak in French and English besides their own language, those people would like this particular reserve to be omitted from the Bill. Judging by the long request in this petition they seem to have great faith in the Senate. They say the Government is their father and Parliament is their mother, and we should never go back on our children and we should protect them and so on. I know on this reserve they are far advanced in civilization.

Hon. Mr. LOUGHEED—We are not interfering with them.

Hon. Mr. CASGRAIN—They will be very glad to hear that from the Government. There is no exemption of any reserve here. They take for granted that you can expropriate their reserve, and I think you can also, and they ask that they be omitted from it. They say the white people around have been casting envious eyes at their reserve, and have been encroaching on them for years past and they are down to one thousand arpents or acres now and they say there are people now that have come up to Ottawa and made representation that it was only worth $75 an arpent in order to get the Government to agree to have it go for a price, and they say in this request they are getting as much as $800 an acre. The petition was presented to me and reads as follows:

To the Most Honourable the Senate of Canada, etc., etc.,

Ottawa.

May it please this Honourable Senate:

That the Bill to amend the Indian Act as respects the appropriation of the Indian reserves by the Government, and which has already been read a third time, is most alarming for the Abenakis of St. François, who have worked since 25 or 50 years for themselves and their children; that at any unexpected time they could be dispossessed of their lands by the covetousness of neighbours who always wish to obtain those properties and at the lowest price possible.

The Abenakis here not holding their reserve from any government—as for other reserves—would, by this petition, pray this Honourable Senate to exempt them from the application of this amendment or to include therein a *proviso* showing that, in fact, they are the protegees of the Government, as the Abenakis, at the beginning of the colony, have protected their new French allies.

Honourable Senators: Your native Abenakis, minors in law and in politics, consider your government as their father and the sitting House as their mother and, consequently, rest assured that their father and mother will never leave their minor children exposed to the covetousness of their major children, the white men.

Thus have acted the late Sir John A. Macdonald, Sir John Thompson, as also Sir Wilfrid Laurier, in many questions settled at the satisfaction of the Abenakis proprietors, who will be everlastingly grateful.

The Abenakis' intent is not to positively oppose the apparent end of the amendment: to make easier the expropriation of Indian lands; but they ask that it can be done in cases of great necessity only and never without the proprietor's assent. The same has been done under the ex-government when private individuals, Abenakis, have been paid for their respective lands, according to location, some $100, others $300, $400 and $600 per superficial acre, as have paid two companies: the Quebec, Montreal and Southern Railway and the Richelieu and Ontario Navigation Company, the first to enlarge its railway and the other for the wharf and road at the river St. François.

The Abenakis have sold among themselves building lots at the rate of $400 to $800 per acre; and some white men, from Pierreville, have estimated at Ottawa, it seems, the Abenakis' lands at $75 by acre. It is evidently what they wanted to pay and they suggested that price to the Government.

Would it be incompatible with law, with equity, that an Indian receive the full value of his property? Would not the opposite make of him a slave rather than a protégé?

Governments enact laws for the protection of the moose, the roebuck, even of the partridge and the hare which is worth ten cents, and the security of Indian lands, the property of the aborigines would be exposed, the expropriation of these lands would be attempted at the lowest prices possible if the neighbours were listened to by the Government.

Therefore, in the present case, the Abenakis earnestly pray the Honourable Senate to be pleased to look at the security of their lands, which have been so much encroached upon in the past, considering that their village reserve contains actually but about 1,000 superficial acres—the space owned by two or three white farmers. They also pray that notice be taken that on this small reserve are to be found one Catholic Church, two Protestant churches, two presbyteries, one convent-academy, one Protestant school, about one hundred houses and several other buildings and about 400 people. Most of the Abenakis can write and speak in French and English, besides their own language; and their so cultivated intelligence will ever be grateful for the protection to them given.

And they will ever pray.

Reserve of the Abenakis of St. François, Yamaska county, May 18, 1914.

Jos. de Gonzague, priest, missionary to the Abenakis.
Urbain J. Nolett, councillor.
H. L. Masa, professeur protestant.
Jean Eli Obomsonvin.
Jos. Laurent, ancien chef.
William Watso, ex-chef.
Ambroise Obimsaurer.
Philippe de Gonzague.
Charles Nolett.
Louis de Gonzague.
Le chef Jules Paul Demers.
Ambroise Denis.
Louis Denis.
Louis Portnerf.
Elie Wananolet.

P.S.—Many members of the tribe are absent, gone a hunting and fishing.

Hon. Mr. BOYER—The case in point is that the Caughnawaga reserve is within ten miles of Montreal. We have had a band of Indians there composed mostly of Iroquois that have been settled in that country since the time of Louis XIV. They have a reserve on the river St. Lawrence, bounded on the east by La Prairie, and on the west by Chateauguay, and on the south by Napierville. Some eighteen or twenty years ago, before Sir Wilfrid Laurier got into power, the Government appointed a special agent to go through the Caughnawaga reserve, because the Indians were complaining of the encroachment of the white people on their reserve. They appointed Michael Wallbank to make an investigation, and his statement was that there was really encroachment on the part of white settlers on the Indian reserve. The white settlers were given two years to remove the encroachment. They had leased or taken forcible possession of these lands, which were mostly wild lands, some of them tilled and others not, and the consequence was that the Government, recognizing the right of the Indians to their reserve, forced every white settler to leave. That reserve has progressed since, but lately a very wealthy golf club was formed in Montreal, and leased part of the reserve for a golf link. The first thing done under this Act will be for the gentlemen to try and impress on the Government the necessity of buying out this land or forcing the Indians to leave Caughnawaga and move away. They have all been brought up in the province of Quebec. They are thoroughly familiar with the neighbourhood in which they live. Most of them were pilots on the river St. Lawrence. If you move them anywhere else you will make outcasts of them. There has been a tremendous pressure to get hold of the reserve. They say that it is holding back civilization and progress, that it is preventing modern improvements from going ahead along the banks of the river St. Lawrence. The only thing it has done is to preserve a great big natural park, with a frontage facing the St. Lawrence, which is more of an ornament than a great many farms eastward or westward of it. If we are going to acquiesce in this proposal, immediately a cabal will be started to have the Caughnawagà reserve broken up. These Indians have what I consider one of the most beautiful churches in the province of Quebec and I would strongly advise all my colleagues, if they happen to be in Caughnawa, just to visit the church and the presbytery. Charlevois, the great historian of Canada, lived in that presbytery, and they have kept his room intact. They possess the great relics of former days. The bells of the church were presented to them by Louis the 14th. The organ was given to them by a religious corporation—a corporation of merchants in Paris. All the religious vessels were given by an old merchant in Paris, with an inscription on every one of them:

For the propagation of the faith in the wilds of America, 1865.

If we allow this reserve to be parcelled off, where would you locate these men? We have had another sinister experience with the Oka reserve. The Indians started a rebellion against the proprietor, who is supposed to be the chief of the Seminary of St. Sulpice. He got a concession of lands in the Muskoka region; part of the Indians, dissatisfied with conditions were moved there. What have been the consequences? The Indians, moved from the land where they were born, where their ancestors lived before them, and where their ancestors have been buried, come once or twice every year to visit the land of their youth. Their advice to those who remain behind is 'do not you leave your land; we have become outcasts.' Two-thirds of these Indians are wandering to-day throughout the United States either playing in circuses or engaged in some other vulgar calling. It is a question to me whether, in allowing this Bill to pass, these reserves in the province of Quebec, which we consider amongst us as an ornament to the province of Quebec, will not entirely disappear, and the last vestige of what was formerly a great Indian civilization will vanish altogether.

Hon. Mr. CASGRAIN—The hon. leader of the House thought this Bill did not apply to

Quebec. Has he any objection to saying that it will not apply to Quebec?

Hon. Mr. DAVIS—He cannot do that.

Hon. Mr. BOSTOCK—Can the hon. gentleman not let the clause stand?

Hon. Mr. LOUGHEED—I move that the committee rise and report progress, and ask leave to sit again.

Hon. Mr. BOLDUC, from the committee, reported that they had made some progress with the Bill and asked leave to sit again to-morrow.

SECOND READING.

Bill (R-3), An Act for the relief of Alberta Ring.—Hon. Mr. Derbyshire.

CIVIL SERVICE ACT AMENDMENT BILL

SECOND READING.

The order of the day being called:

Resuming the adjourned debate on the motion for the Second Reading Bill B3, "An Act to amend The Civil Service Amendment Act, 1908, as respects the Senate of Canada."

Hon. Mr. BEIQUE—I move that this order of the day be postponed until to-morrow.

Hon. Mr. THOMPSON—We should take the second reading of this Bill to-night. I refer to page 539 of the journals of the Senate of Canada as follows:

If the amendment attacks any money clause it is evidently out of order. If it relates to clauses which may be the subject of an independent Bill, the Upper House may run the risk to adopt it.

The Civil Service Bill of 1908 was introduced first on June 17, page 535 of the Journals of the House of Commons, and subsequently read on June 17; on June 25 it was taken up on resolution. The financial side of the Bill was then introduced with the consent of the Governor General.

The SPEAKER—I was under the impression that when that motion was made, I called attention to the fact that I had grave doubts as to the Bill itself.

Hon. Mr. DANDURAND—But if no point of order is raised, what then?

The SPEAKER—I said I reserved to myself the right to rule on that question, but I wanted it to be discussed, and I said, 'This is, in my opinion, a money Bill, and if we have not a right to amend a money Bill, have we a right to amend a money law?'

Hon. Mr. THOMPSON—I move the second reading of the Bill.

The SPEAKER—I cannot put the motion because I find that it is out of order. The Bill which the hon. gentleman proposes to read a second time contains but one clause, as follows:

1. The Civil Service Amendment Act, 1908, chapter 15 of the Statutes of 1908, and its amendments shall not apply to the Senate of Canada, and is hereby amended in the manner shown in the schedule to this Act.

By a simple perusal of the Bill, we find it provides:

1. That the Senate be excluded from the operation of the Act of 1908 and its amendments, as they relate to the regulation of the Civil Service.

2. That the special clause of the said Bill, which defines the position of the Speakers of both Houses, their respective clerks and both Houses themselves, be amended, so as to apply solely to the House of Commons, to its Speaker and to its Clerk.

An objection is raised and it is claimed that the initiative of such legislation is not within the province of the Upper House, and that consequently the motion proposing it is contrary to the rules and to Parliamentary law.

The Civil Service Amendment Act, 1908, chapter 15 of the Statutes of Canada, 1908, originated in the House of Commons in 1908, in the form of a Bill, based on resolutions, which were presented in the House of Commons, on the 25th, June, 1908, and submitted to the House on the recommendation of the Executive.

The Journals of the House of Commons substantiate this statement.

We find, page 553, the following text:

The Order of the Day being for the consideration of a certain proposed resolution to amend the Civil Service Act;

Mr. Fisher, a member of the King's Privy Council, then acquainted the House, that His Excellency the Governor General, having been informed of the subject-matter of certain amendments to be proposed to the said resolution, recommends it to the consideration of the House.

Resolved, That this House do immediately resolve itself into a committee.

The House accordingly resolved itself into a committee on the said resolution.

Resolved, that it is expedient to provide, in connection with the Bill now before this House, intituled: "An Act to amend the Civil Service Act," that there shall be a Civil Service Commission, consisting of two members, with the salaries of deputy heads; that the salary of the deputy ministers shall be $5,000 per annum; that the salaries in the proposed First Division of the service shall be from $2,800 to $4,000, in subdivision A, and from $2.100, to $2,800 in subdivision B; in the proposed Second Division, from $1,600 to $2,100, in subdivision A, and from $800 to $1,600, in subdivision B; in the

proposed Third Division, from $900 to $1,200, in subdivision A, and from $500 to $800, in subdivision B; that the salaries of messengers, porters, sorters, packers, and such others in the lower grades as are determined by the Governor in Council, shall be from $500 to $800; that in addition to the annual increase of $100 in the First Division and $50 in the Second and Third Divisions, a further increase, not exceeding $50, may be given in case of exceptional merit; that a minister's private secretary may be paid as a clerk in subdivision B of the Second Division; that if a person dies in the public service, after having been at least two years therein, an amount equal to two months of his salary shall be paid to his widow, or to such person as the Treasury Board determines.

Everybody ought to be convinced—it is, besides, an indisputable parliamentary doctrine—that, based on such resolutions presented to the House by the Executive and accepted by it, this Bill, once adopted by the Lower House, came to us, in the Upper House, clothed in the well known livery of money Bills.

It was certainly a money Bill, without any possible discussion.

Now, the Senate has no right to amend a money Bill—and this doctrine is unassailable—especially in the case of clauses which are the verbatim reproduction of resolutions which have been used as the basis of the Bill itself. May, the great authority on Parliamentary procedure, explicitly says, page 547 of the 11th edition of this Treatise on the Law and Usage of Parliament.

By practice and usage, the Lords are excluded, not only from the power of initiating or amending Bills dealing with public expenditure or revenue, but also from initiating public Bills which would create a charge upon the people by the imposition of local and other rates, or which deal with the administration or employment of those charges.

It follows, accordingly, that the Lords may not amend the provisions in Bills which they receive from the Commons dealing with the above-mentioned subjects, so as to alter, whether by increase or reduction, the amount of a rate or charge—its duration, mode of assessment, levy, collection, appropriation or management; or the persons who pay, receive, manage, or control it; or the limits within which it is leviable. Other forms of amendment by the Lords have also been held to infringe on the privileges of the Commons, such as the addition of a clause providing that payments into and out of the Consolidated Fund should be made under the same regulations as were applicable by law to other similar payments; of provisions for the payment of salaries to officers of the Court of Chancery out of the suitors' fund; and alterations in a clause prescribing the order in which charges on the revenues of a colony should be paid.

On the other hand, the House of Commons, jealous of its privileges, inserted in its rules a special clause, which sanctions, in its favour, the double principle that, alone, it can give birth to a money Bill, and that the Senate could not, in any way, place any limitations or conditions to the use of money granted by it.

The following is the text of the clause 78 of the rules of the House of Commons:

All aids and supplies granted to His Majesty by the Parliament of Canada, are the sole gift of the House of Commons, and all Bills for granting such aids and supplies ought to begin with the House, as it is the undoubted right of the House to direct, limit, and appoint in all such Bills, the ends, purposes, considerations, conditions, limitations and qualifications of such grants, which are not alterable by the Senate.

I think I have proved:!

1. That the Bill of 1908, which has since become the law of the land, was a money Bill.

2. That the Senate could not, in any way, have placed any limitations or conditions to this Bill, still less amend its monetary clauses.

Let us come now to the Bill presented by the hon. senator for Fredericton.

By the proposed legislation the hon. senator attacks a money law; he seeks to limit its scope, he wishes to alter its nature by excluding the whole of the Senate from its operation and by altering consequently several of its money clauses.

But if we had no right to amend a money Bill in 1908, how could we, in 1914, attack an Act which, after all, is but the same proposition, submitted six years ago by the House of Commons, in the exercise of its privileges, subsequently accepted by the Senate, and assented to by the representative of the Crown, and which remains in our statutes with its distinct character of a money Bill?

Should such a thing be allowed, we would at once come to the conclusion that the Senate, powerless in the face of a money Bill, would have, after a certain lapse of time, a right denied to it by the very nature of such a legislation.

This would lead us to absurdity, and when I further consider that the present Bill completely destroys the whole economy of the Act which it is the intention to amend, without substituting anything to the necessary provisions enabling the Senate to classify its staff, to pay its officers and employees the salaries to which they are entitled; when, the work of destruction accomplished, nothing is left to rebuild the vanished structure, I come to the conclusion that the Senate would step outside of its role, by assuming an initiative belonging solely to the House of Commons, and I declare,

without any hesitation, that, inasmuch as we have no right to amend a money Bill, in the same manner and a fortiori, we have no right to amend a money Act.

I therefore declare that the appeal to the rules should be maintained.

Hon. Mr. THOMPSON—I respectfully ask for an appeal from that ruling. I desire to move that the ruling of the Speaker be not sustained.

Hon. Mr. DAVIS—I second the motion.

The SPEAKER—The ruling of the Speaker on a motion for the second reading of Bill (B-3) has declared the Bill out of order because it was amending a money law. An appeal has been taken and the motion is now that the decision of the Speaker be not sustained. The question is on that motion.

The House divided on the motion which was carried on the following division, contents 23 non-contents 9.

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The Honourable Messieurs

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Hon. Mr. THOMPSON—I move the second reading of the Bill seconded by Hon. Mr. Davis.

Hon. Mr. DANIEL—Before the second reading is carried I would like the hon. gentleman who moved the motion to explain to this Chamber what will be the results of the passing of this Act on the employees of the Senate; in the first place, what position would they hold; in the second place, I would like to know from the hon. gentleman how we are to provide for the payment of our employees in the case of this Act being passed? So far as I have been able to gather, either in the internal Economy Committee or here, there has been a great dearth of information in regard to matters of this kind. It may be that old appointees in this Senate may be quite familiar with matters of this kind but personally I acknowledge that I am not familiar, and I would like to know what would be the result, if this Act should become law, on the persons employed by this Senate. Would they be members of the Civil Service of Canada? Would they have anything to do with the Superannuation Act or any of those other Acts which affect the Civil Service? Would they be classified as Civil Servants? In what way would they be paid? With regard to the amount that they would be paid, how would those amounts be fixed? Would they be fixed by the Senate of Canada, or in what way? Before the second reading of this Bill is passed, we should certainly get a little more information on these points than I have been able to obtain in any quarter. The hon. gentleman in whose name it stands, ought to give us that information.

Hon. Mr. THOMPSON—For forty years prior to the passing of this Bill this House had charge of all those questions relating to the official staff of this Senate; for forty years the question of salaries was fixed by the Senate, and we, as an independent branch of the Parliament of Canada, could create by this Senate's action and by its disposition to do that towards the official staff, either the form such as now exists in respect to statutory increases by a resolution adopted by the House, or we could pay them such salaries as were paid them by and with the consent of the Senate of Canada. There can be no question that we have all the power to take care of this proposition within the Senate. This was a question involving the consideration as to the rights of this Senate to deal with this matter, and I, personally, would have been willing to have broken one of the Ten Commandments rather than have felt that this Senate of Canada was practically being controlled, in a measure—if I may use the term—by the tail wagging the dog. Since 1908 it has been said to us that the Senate of Canada could not move in respect of domestic matters until the initiative had come to us through the permission of this Act. In respect of this Act let me say that in this House we have no more conformed to its provisions during the last five years than we have to Ayer's Almanac, except in the one point of initial nomination. This Senate has disregarded

the Act in respect of its provisions, except the disposition there has been in trying to enforce upon the Senate that they had no right to make nomination or deal with this question until the initiative had come to the House. I do not know whether it is well for us to go into the consideration of this Act. This matter was brought before the committee of which the hon. gentleman is a member, and I thought the whole question had been considered by that committee; so far as I had learned there seemed to be a unanimous decision to support this Bill, hence I cannot quite appreciate why to-night there should be a desire on the part of the hon. member to ask for so much information, that certainly was not asked for when the matter was before the committee.

Hon. Mr. DANIEL—I beg the hon member's pardon; I asked for that information at the very last meeting of the Internal Economy Committee, and I must say I was not satisfied with the replies I got; that is why I am asking for it now.

Hon. Mr. THOMPSON—I did not understand by any motion or expression of opinion in the committee that there was any disposition to oppose this measure. I endeavoured to give all the information that was asked for with respect to the powers of the Senate to deal with this question. A reference to Bourinot will show all these subject matters have been dealt with in the Internal Economy Committee, as to salaries and to all other questions of this sort for forty years. By the passing of this Bill we go back to just where the Senate was, prior to the enactment of the Bill. It has been thought by the Law clerk of the House that it would be well to add to the Bill another section which would revive or reinstate whatever privileges and practices the Senate enjoyed prior to the passing of the Act.

Hon. Mr. DANIEL—That is not in this Bill.

Hon. Mr. THOMPSON—That is not in the Bill, but it has been suggested by the clerk, not that he believed it was absolutely important, but in order to meet the views of some who might be incredulous as to the powers of the Senate, in order that we would be again invested with exactly the powers that we enjoyed prior to that Act. I would like to add that the Bill requires that every appointment made under the Civil Service Amendment Act shall practically be made by the Civil Service Commission, which has the right by competitive examination to make a selection of the individuals to be employed. In no case is a recommendation to be made to this House under this Act unless it is accompanied by the certificate of that Commission, excepting in the one instance where special, technical or professional officials are required. In the latter case the Act says that if it is reported to the House that the requirements of a position are technical or professional, then through the Clerk and the Speaker, the Governor in Council may appoint the person. In respect to other positions, for instance an appointment from $800 to $1,600, the person recommended for such an appointment in subdivision B, is required under the Civil Service Act to pass an examination in spelling, English composition, arithmetic, English literature, algebra, geometry, physics, biology, zoology, French, English, latin, German, modern history, political science, economics, geography, general philosophy and scholastic philosophy, metaphysics, ethics, English law, typewriting, shorthand and book-keeping; and the individual who is to be placed in a position from $800 to $1,600 must under this Civil Service Act bring with him a certificate to be presented to the Governor in Council or to this Senate that having passed that examination, the Civil Service Commission recommends him to fill the appointment. I cannot think that the Senate would be disposed to continue a condition of things which is absolutely unsuited to conditions of the Senate. In the Commons, as I have already said, the Speaker of the House is Chairman of the Internal Economy Committee is appointed by the Government, so that while the Act was made to apply to the House of Commons, it did not in practice disturb the conditions which had existed there before its passage. But when it was applied to the Senate the Speaker was not identified with the Internal Economy Committee which for 40 years had determined all these questions, and the Speaker claims that this House can only make such appointments as are recommended by him. So the House has been tied up to dealing only with those appointments which the Speaker refers to it. We had an illustration of that this session. Our attention was called some months ago to a vacancy at the the clerk's table. Now, if the Act were to

apply, the vacancies might last forever, because the House could not move until the nominations were made. The vacancies would remain there until the clerk and the Speaker thought proper to bring the matter to the attention of the House, and make a recommendation. If this Bill should pass both branches of Parliament, the Senate will then have its constitutional rights restored and the practice which had been in vogue for 40 years, in caring for the staff, will be restored. I am of the opinion that the provisions of the Civil Service Act with respect to statutory increases recommended by the Internal Economy Committee would apply to the Senate staff. The statutory increases are not made by virtue of the Act, but on a recommendation determined by the Governor in Council and also by the Senate in respect to making these appropriations.

Hon. Mr. BOLDUC moved that the debate be adjourned until to-morrow.

The motion was agreed to.

THE CONTINGENT ACCOUNTS OF THE SENATE.

MOTION.

Hon. Mr. THOMPSON moved that the fourth report of the Standing Committee on the Internal Economy and Contingent Accounts of the Senate be concurred in.

The SPEAKER—I certainly object to concurrence in this report on the same ground that I have already taken. I have no objection to a private secretary being given to the leader of the Opposition, though this Chamber on a former occasion objected to the same course being followed with respect to the leader of the Government in the Senate.

Hon. Mr. THOMPSON—The committee never objected to the leader of the House having a secretary but they felt that, as a member of the Government, he should be provided with a secretary by the Government. The House has already affirmed, in the case of Hon. Sir Geo. Ross, when he was leader of the Opposition, the principle of making this allowance for the leader of the Opposition, and no doubt the Senate is quite willing that the principle then recognized should be continued. The matter was brought to the notice of the Internal Economy Committee, and no objection was raised at our meeting to continuing the appropriation which had been granted in the case of Hon. Sir Geo. Ross.

The SPEAKER—The point I was making was this: I have no objection to the amount being spent, but I object to the procedure adopted.

Hon. Mr. THOMPSON—In what respect?

The SPEAKER—Instead of being recommended by the committee it should have been recommended by the Speaker himself to the Senate.

Hon. Mr. THOMPSON—Do I understand His Honour the Speaker to say that a recommendation of such an appropriation should be made by the Speaker?

The SPEAKER—Certainly. This employee becomes an employee of the Senate.

Hon. Mr. DANDURAND—Temporarily.

The SPEAKER—Yes, temporarily.

Hon. Mr. WATSON—The resolution provides for appropriating $600 to the leader of the Opposition to employ clerical work. He employs his own assistant.

The SPEAKER—That is only a way of getting around it.

Hon. Mr. WATSON—The same thing was done in the case of Sir Geo. Ross.

The SPEAKER—As I have said, I do not object to the thing at all, but I have a right to object to the procedure. That is my conviction. I shall not use my right to-night, but I can exercise my right to the extent of saying that the courtesy which is extended to the leader of the Opposition was refused to the leader of the Government in this House.

Hon. Mr. WATSON—I do not think so. The Internal Economy Committee of the Senate came to the conclusion that, as the leader of the House was a member of the Government, the Government should pay for his clerical assistant. What I was taking exception to was the Speaker's suggestion that the gentleman who may be employed as secretary by the leader of the Opposition becomes an employee of the Senate. As I understand it, the leader of the Opposition may have different kinds of work, and he is allowed $600 to employ clerical assistance and, therefore, whoever may be employed by him will not be an employee of the Senate.

The SPEAKER—I am drawing a line to show that there is a difference of opinion.

Hon. Mr. BOSTOCK—Of course, if the leader of the Government has any objection

to my having this assistance, I do not press the matter.

Hon. Mr. LOUGHEED—I hope that my hon. friend will not think for a moment that I have the slightest objection. In fact, it was on my own motion that originally the recommendation was made. I suggested to the late leader of the Opposition, Hon. Sir George Ross, the desirability of having this assistance, and I aided him in every possible way to have it secured. I am only too glad to see that similar provision is being made for my hon. friend. I have no personal feeling in the matter.

Hon. Mr. DANDURAND—I am glad to hear this statement of the hon. leader of the Government, because I thought His Honour the Speaker was but an echo of the state of mind of my hon. friend.

The SPEAKER—I am able to speak for myself without being the echo of anybody.

Carried on a division.

THE VINEBERG DIVORCE CASE.

MOTION.

Hon. Mr. ROSS (Middleton), in the absence of Hon. Mr. Kirchoffer, moved concurrence in the 34th report of the Standing Committee on Divorce, to whom was referred the petition of Helen Vineberg, together with the evidence taken before the said committee.

Hon. Mr. CHOQUETTE moved in amendment that the report be not now concurred in, but that it be referred back to the Standing Committee on Divorce with certain papers, for further consideration.

Hon. Mr. DAVIS moved the adjournment of the debate.

The motion to adjourn the debate was agreed to.

FIRST AND SECOND READINGS.

Bill (T-3), An Act for the relief of Bertha Lucinda Graham.—Hon. Mr. Taylor.

The Senate adjourned until 3 o'clock tomorrow.

THE SENATE.

Wednesday, May 27, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

Hon. Mr BOSTOCK.

RAILWAY AT BONNEY RIVER, N.B.

INQUIRY.

The notice of enquiry being called:

By Hon. Mr. DOMVILLE:

1. Who owns the railway at and near Bonney River, Charlotte County, New Brunswick, now operated by Canadian Pacific railway?
2. Why has the right of way not been paid for?
3. Why is the railway not fenced?

Hon. Mr. LOUGHEED—The hon. gentleman from Rothesay is absent, but for the purpose of clearing the Order Paper I shall give the answers to his questions, which are as follows:

1. The railway is owned and operated by the Canadian Pacific Railway Company and was formerly known as the New Brunswick Southern.
2. The department has no information.
3. The department has no information.

MORNING SITTINGS.

MOTION.

Hon. Mr. LOUGHEED moved:

That commencing on Friday next, until differently ordered, there shall be two distinct sittings of the Senate every day, including Saturday, the first sitting to commence at 11 o'clock a.m. until 1 o'clock p.m., and the second sitting to commence at 3 o'clock p.m., and that all Standing and Select Committees of the Senate be permitted to sit while the Senate is in session notwithstanding anything contrary in Rule 86.

Hon. Mr. BOSTOCK—The business of the House which we had before us last night and that which now appears on the Order Paper has been going along very satisfactorily, I think, as far as he is concerned; although we do not know at the present moment what legislation is yet to come down. I wish to ask the leader of the Government if he cannot see his way to change the date of the beginning of morning sittings to Monday next. We might sit on Saturday afternoon, if he wishes, but that depends upon how we are getting along. I think we should not begin morning sittings until Monday of next week.

Hon. Mr. LOUGHEED—It seems to me there should be no reluctance on the part of the Senate to meet in the forenoon at eleven o'clock. It is not an extraordinary thing; it surely does not involve a superhuman effort on the part of the hon. gentlemen who are anxious to get through with the business, to meet at eleven o'clock in the morning. Our committee work is largely through.

Hon. Mr. POWER—Oh, no.

Hon. Mr. LOUGHEED—There is not much committee work before us, so that it would not be unreasonable to meet at that hour. The reason that I am anxious we should take advantage of our time is that there are some very important measures that will come up, and will involve probably very considerable discussion. It is desirable that a reasonable time should be given for the proper consideration of those measures. In addition to the Canadian Northern Railway Bill, there will be two or three other very important measures that may involve considerable discussion.

Hon. Mr. BOSTOCK—Could my hon. friend, the leader of the Government, indicate what the legislation is?

Hon. Mr. LOUGHEED—There is the Naturalization Act, the Farmers Bank measure, the Canadian Northern Railway Bill, and possibly some legislation touching the Grand Trunk Pacific.

Hon. Mr. WATSON—Redistribution?

Hon. Mr. LOUGHEED—There will probably be the Redistribution Bill.

Hon. Mr. CHOQUETTE—Would it not be possible to dispense with the session on Saturday. As many members from Montreal and Quebec, not knowing that the House was to sit on Saturday, have made engagements for interviews or meetings, it would be very difficult for many of them to be here on Saturday on that account.

Hon. Mr. LOUGHEED—The hon. gentlemen from Montreal and Quebec and Toronto should be anxious to sit on Saturday in atonement for the many adjournments which they have impressed upon this House; and I would have expected those gentlemen to have marshalled their forces and approached me saying, 'We insist on sitting on Saturday to make up for our adjournments in the past.'

Hon. Mr. CHOQUETTE—Then I withdraw my objection.

Hon. Mr. POWER—I do not think there is any objection on this side of the House to sitting on Saturday, but it is an unusual thing more than a week before the Government hopes for the day of prorogation to have more than one sitting a day, and to suspend all rules which require deliberation. The fact that very important measures are coming up is a reason why we should take time to consider them, and not have those measures railroaded through the House. If a measure has taken two months for the House of Commons to deal with, we should surely be allowed a week at any rate. I do not think the hon. leader of the Government has any reason to complain of the conduct of the Opposition. We have not obstructed at all, and do not propose to, but we should have an opportunity to devote reasonable attention to the important measures which are still to come up. Then there are committees to meet, and if the House meets at eleven o'clock there is almost no opportunity for the committees to meet. Monday is quite early enough for morning sessions.

Hon. Mr. LOUGHEED—Of course I have no desire to attempt to force this motion on the House. If hon. gentlemen think that we should delay the morning sessions until Monday next, I am within the judgment of the House; but I would propose that we sit on Saturday.

Hon. Mr. POWER—Yes, that is all right.

Hon. Mr. YOUNG—I draw attention to the fact that there is an important meeting of the Committee on Banking and Commerce on Friday which will likely last until one o'clock. An important matter will be discussed and many members, possibly the leader himself, would like to be present.

Hon. Mr. LOUGHEED—Then I will strike Friday out and substitute Monday, so that the motion will read, 'commencing on Monday next, until differently ordered.' Then we will have to alter 'Saturday' and make it 'Three o'clock on Saturday.'

Hon. Mr. KERR—The members are entitled to an opportunity to consider some of the legislation. We know that all the legislation coming down is most important, and it is not reasonable that we should be called upon to take it up at a moment's notice, as it is called on the Order Paper. We are all anxious to get through the session, but in order to discharge their duties properly members should know something about these Bills before they come into the House. It is not possible to do so if the days are filled with sittings. I for one do not want to see the business stampeded through. Here we have trust Bills and loan company Bills, and such things still in committee. How are these things to be dealt with in the House? Members who are on committees

are supposed to give as much attention to these matters as members who are in the House, and are also supposed to have their say on them in the House. It would be unreasonable to press important legislation such as we have now until next week at all events.

Hon. Mr. LOUGHEED moved:

That commencing on Monday next, until differently ordered, there shall be two distinct sittings of the Senate every day, the first sitting to commence at 11 o'clock a.m. until 1 o'clock p.m., and the second sitting to commence at 3 o'clock p.m., and that the Senate shall sit on Saturday next, and that all Standing and Select Committees of the Senate sit while the Senate is in session notwithstanding anything to the contrary in Rule 86.

Hon. Mr. KERR—I hope the hon. gentleman will accept the suggestion about dropping this first Saturday.

Hon. Mr. POWER—No let us take Saturday.

Hon. Mr. KERR—We will not have many members here as they have made engagements elsewhere. We have had just now an intimation thrown at us that the session is coming to an end, but it is accompanied by a whole shoal of Bills.

Hon. Mr. LOUGHEED—That is the greater reason why we should sit, and should begin to sit in the morning.

Hon. Mr. KERR—It is not reasonable when you have not got the Bills from the other House, and when the Bills that are here are not out of the committee stage. I feel like testing the sense of the House by moving to strike out all in the motion relating to the Saturday sitting. I move in amendment that the words 'That the Senate shall sit on Saturday next,' be struck out.

The amendment was lost; contents 8, non-contents 30.

Hon. Mr. KERR—Before the motion is put I want to enter my protest against the attempt which is being made by the Government to force measures through this House, before there is a possibility of having them properly considered. We have been in session since January last and have been promised legislation, but the legislation has never come to hand. The important legislation of the session only comes this week; it is being considered in committees now, and all Government Bills are going to be thrown at us at the close of the session. This is not reasonable, and I protest against it. We are not given an opportunity for fair discussion. It is an unfair thing for the Government to endeavour to force legislation through, at this stage of the session.

Hon. Mr. LOUGHEED—In answer to what my hon. friend has said I desire to say that next session, when he renews his wish to adjourn the Senate from time to time, so that it may be convenient for him to go to Toronto, I shall remind him of the anxiety he has exhibited on the present occasion.

Hon. Mr. KERR—I would like to answer that objection, and I desire to state that on no single occasion, on my own personal account, have I ever suggested or supported an adjournment. When it has been agreed to adjourn—and the hon. gentleman who has just spoken has referred to that fact—I have stated that as members were anxious to go away it would probably be a gracious thing to adjourn; but I repeat that I never asked for an adjournment over Monday, and I never expressed any desire to him with reference to myself, or my own convenience.

Hon. Mr. CASGRAIN—It is very unfair for the leader of the Government to speak about these adjournments. If we found it necessary to adjourn, it is because we were here doing nothing; it was the fault of his Government in not bringing down measures and giving us something to do.

Hon. Mr. POWER—I am ready enough to blame the Government, and I think they deserve it, but when I remember that we adjourned over Friday last when our Order Paper was full, I cannot sympathize quite so much with the hon. gentleman from De Lanaudière (Hon. Mr. Casgrain).

Hon. Mr. CHOQUETTE—I was not in favour of sitting on Saturday but we must submit to the majority, and as the majority say we must sit, then we must sit.

The motion was agreed to.

SUSPENSION OF RULE.

MOTION WITHDRAWN.

Hon. Mr. LOUGHEED moved:

That from Friday next to the end of the Session, Rules 23f, 24a, b, d, e, and h, 63 and 119 be suspended in so far as they may relate to public or private Bills.

Hon. Mr. YOUNG—I suggested to the hon. leader that he include rules 129 and 130 which relate to Private Bills being ad-

vanced a stage, and he consented to that. With the permission of the House the motion might be amended in that regard.

Hon. Mr. BOSTOCK—I do not think we should agree to this motion at the present time. We have just consented to sit on Saturday.

Hon. Mr. LOUGHEED—The motion does not come into operation until Monday next. We invariably pass this motion concurrently with the motion for morning sittings.

Hon. Mr. KERR—There is no objection to the motion being carried, as far as it relates to Private Bills, but we should not be hurried with reference to public Bills. I object to it, we should not be forced into expressing our opposition in this way.

Hon. Mr. POWER—I move that the motion be amended by striking out the word 'public.'

Hon. Mr. LOUGHEED—I withdraw the motion. If it cannot apply to public Bills, there is no good reason why it should apply to private Bills.

The motion was withdrawn.

Hon. Mr. YOUNG—The motion may be renewed Monday.

Hon. Mr. LOUGHEED—Hon. gentlemen will of course remain here until the Bills are put through the different stages.

THIRD READINGS.

Bill (Z-2), An Act to incorporate The Title Insurance Company of Canada.—Hon. Mr. Young.

Bill (191), An Act to provide for further advances to the Harbour Commissioners of Montreal.—Hon. Mr. Lougheed.

Bill (192), An Act to provide for further advances to the Quebec Harbour Commissioners.—Hon. Mr. Lougheed.

Bill (R-3), An Act for the relief of Alberta Ring.—Hon. Mr. Derbyshire.

Bill (T-3), An Act for the relief of Bertha Lucinda Graham.—Hon. Mr. Taylor.

THE VINEBERG DIVORCE CASE.

REPORT ADOPTED.

Hon. Mr. DAVIS resumed the adjourned Debate on the consideration of the Thirty-fourth Report of the Standing Committee on Divorce, to whom was referred the petition of Helen Vineberg, together with the evidence taken before the said committee.

After discussion.

Hon. Mr. CHOQUETTE moved in amendment to the amendment that the report be referred back to the committee.

Hon. Mr. McSWEENEY moved that the report be not now adopted, but that it be adopted this day six months.

The SPEAKER—I want to state to the House how the question stands now. If we refer to the Minutes of Proceedings of the Senate yesterday, we read this:

> The Order of the Day being read for the consideration of the Thirty-fourth Report of the Standing Committee on Divorce, to whom was referred the Petition of Helen Vineberg, together with the evidence taken before the said committee.
>
> The Hon. Mr. Ross (Middleton) moved, seconded by the Hon. Mr. Daniel,
>
> That the said report be now adopted.
>
> The Hon. Mr. Choquette, in amendment, moved, seconded by the Hon. Mr. Boyer,
>
> That the words 'now adopted' be struck out, and the following words added in lieu thereof, 'referred back to the Committee on Divorce for reconsideration.'
>
> After debate.
>
> On motion of the Hon. Mr. Davis, seconded by the Hon. Mr. McSweeney, it was:
>
> Ordered, That further debate on the said motion in amendment be adjourned until tomorrow and that it do then stand as the first order after the third reading of Bills.

So to-day, when the debate arose on the question, we were faced by a motion for concurrence in the report, and an amendment to strike out the words 'now adopted' and the words 'referred back to the committee on divorce for reconsideration' be inserted in lieu thereof.

Hon. Mr. LOUGHEED—That is withdrawn.

Hon. Mr. CHOQUETTE—No.

Hon. Mr. LOUGHEED—I thought it was withdrawn.

Hon. Mr. CHOQUETTE—No.

The SPEAKER—It does not appear to have been withdrawn according to the Order Paper. Now the other motion that comes in must be an amendment to the amendment. Is the House ready for the question?

Some hon. GENTLEMEN—Question.

The SPEAKER—The question is on the amendment to the amendment: that is to say, that the report be not now considered nor referred to the committee, but that it be taken into consideration six months hence.

The House divided on the amendment to the amendment, which was rejected by the following vote:

Contents.

The Honourable Messieurs

Boucherville, de,	Landry, (Speaker),
Boyer,	La Rivière,
Costigan,	Legris,
Davis,	McSweeney,
Dessaulles,	Prince,
Gillmor,	Thibaudeau—12.

Non-Contents.

The Honourable Messieurs

Beith,	Lougheed,
Bostock,	McColl,
Bowell (Sir Mackenzie),	McKay, (Cape Breton),
Corby,	McLaren,
Curry,	Prowse,
Daniel,	Ratz,
Dennis,	Talbot,
Derbyshire,	Taylor,
Edwards,	Thompson,
Frost,	Yeo,
Kerr,	Young—23.
King,	

The SPEAKER—The question is now on the amendment.

Hon. Mr. CHOQUETTE—Before discussing the point I wish to refer to a debate which took place yesterday regarding a letter which was sent to the Speaker of this House to be read to the House, and the apparent indignation of the leader of the Government as to such procedure, and his moving that the letter be sent back to the lawyers, and that the record of the proceedings in regard to the letter be stricken out of the debates. I am at a loss to know why that should be done. Is it not the right of every citizen of the country, every elector of the provinces—

Hon. Mr. LOUGHEED—I should like to have a ruling from the Chair as to whether my hon. friend is in order in discussing the question. The whole matter has been submitted to the House: first the consideration of the report, next the amendment proposed by my hon. friend from Grandville (Hon. Mr. Choquette) and finally the amendment moved by my hon. friend from New Brunswick (Hon. Mr. McSweeney).

The SPEAKER—I understand from the Order Paper that the debate has been adjourned. The sub-amendment is lost and every member has a right to address the House on the next motion, and other sub-amendments may be moved.

Hon. Mr. LOUGHEED—My hon. friend spoke on that amendment when he introduced it.

Hon. Mr. CHOQUETTE—The debate was adjourned and there is nothing in the debates report at all with regard to it.

The SPEAKER.

Hon. Mr. LOUGHEED—My hon. friend introduced his amendment, made some observations, read the letter, and the hon. Mr. Bolduc adjourned the debate.

Hon. Mr. CHOQUETTE—I am discussing my motion, because the hon. leader of the Government has raised a point of order, so as to have a decision from the Speaker. Every citizen of this country has the right to petition the House, doctors, lawyers and laymen.

Hon. Sir MACKENZIE BOWELL—The question arises whether, having spoken on the introduction of his amendment, the hon. gentleman has a right to continue the discussion. Under the rules he has not. We have fallen into the habit of speaking a dozen times on every motion which is made.

The SPEAKER—The hon. gentleman has no right to speak now because he has already spoken on the question. The mere fact that the hon. gentleman introduced his motion gave him the floor; he had the floor; he made his motion and he took his seat; he has spoken.

Hon. Mr. CHOQUETTE—I was moving the adjournment of the debate, that was all.

Some hon. GENTLEMEN—Question, question.

The SPEAKER—The question is on the amendment moved by the hon. member from Grandville (Hon. Mr. Choquette).

Hon. Mr. CHOQUETTE—I have a right to close the debate.

Some hon. GENTLEMEN—No, no.

Hon. Mr. CHOQUETTE—I would like to submit to the Speaker as to the ruling.

The SPEAKER—The hon. gentleman would have a right to close a debate if the debate was on the main motion, but not on the amendment. The amendment is for sending back the report to the committee for reconsideration.

Hon. Mr. CHOQUETTE—I beg leave to withdraw the amendment, then, under the circumstances, with the leave of the House.

The SPEAKER—With the leave of the House the amendment is withdrawn. The question now is on the main motion.

The motion was carried on division.

The House adjourned during pleasure.

BILLS ASSENTED TO.

An Act respecting the Patent of the National Wood Distilling Company.

An Act respecting the Bronson Company.

An Act to amend the Volunteer Bounty Act, 1908, and amending Acts.

An Act respecting the Harbour of North Sydney in Nova Scotia.

An Act to amend the Civil Service Insurance Act.

An Act to incorporate the Peace River Tramway and Navigation Company.

An Act respecting the Continental Fire Insurance Company of Canada.

An Act respecting the Manitoba and North Western Railway Company of Canada.

An Act respecting the Alberta Central Railway Company.

An Act respecting the Central Ontario Railway.

An Act to incorporate the Algonquin Railway Company.

An Act respecting the London and Lake Erie Railway and Transportation Company.

An Act respecting the High River Saskatchewan and Hudson Bay Railway Company.

An Act respecting the Kettle Valley Railway Company.

An Act for the relief of Gertrude Carmen Birks.

An Act for the relief of Rose Ethel Freedman.

An Act for the relief of Ella Rose Morris.

An Act for the relief of Alicia Hill.

An Act for the relief of Eliza Jane McLaughlin.

An Act for the relief of Lenore Power.

An Act for the relief of Walter James Liscombe.

An Act for the relief of George Fullerton Forsythe.

An Act respecting the Calgary and Edmonton Railway Company.

An Act to incorporate the United Empire Loyalists' Association of Canada.

An Act to incorporate Les Sœurs de la Charité de l'Hôpital Saint-Antoine de le Pas.

An Act to incorporate the Atlin Railway Company.

An Act respecting the Erie, London and Tillsonburg Railway Company.

An Act respecting the London and Port Stanley Railway Company.

An Act respecting Interurban Company, Limited, and to change its name to 'Rio de Janeiro and Sao Paulo Telephone Company.'

An Act to incorporate the Sudbury, Kepawa and Bell River Railway Company.

An Act to incorporate the South Ontario Pacific Railway Company.

An Act respecting the Northern Territorial Railway Company.

An Act respecting the Patent of Auto Wheels, Limited.

An Act to incorporate the Canadian Press Association.

An Act for the relief of Ethel Cora Robinson.

An Act respecting certain patents of Thomas Leopold Willson.

An Act for the relief of Johann Andreas Horn.

An Act for the relief of Henry Elmer Bicknell.

An Act for the relief of George Gracie Smith.

An Act for the relief of Harry Cracroft Pugh.

An Act for the relief of Charles Low Hutcheon.

An Act for the relief of Jessie Eleanor Grassett Parkhurst.

An Act for the relief of William Godfrey Thorp.

An Act respecting the Sterling Life Assurance Company of Canada.

An Act respecting the Montreal and Lake Victoria Railway Company.

An Act to incorporate the National Council of Women of Canada.

An Act respecting a patent of John Roger Arnoldi.

An Act respecting Barcelona Traction, Light and Power Company, Limited.

An Act respecting Brazilian Traction, Light and Power Company, Limited.

An Act respecting the Empire Life Insurance Company.

An Act respecting the Rainy River Radial Railway Company.

An Act respecting the Grand Trunk Railway Company of Canada and the Canada Atlantic Railway Company.

An Act respecting the Pacific, Trans-Canada and Hudson Bay Railway Company.

An Act to amend an Act to incorporate the Vancouver Harbour Commissioners.

An Act to incorporate the Erie and Ontario Railway Company.

An Act respecting the University of Saskatchewan, and to change its name to 'University of Emmanuel College.'

An Act respecting a certain patent of Rudolf Goldschmidt.

An Act respecting British America Nickel Corporation, Limited.

An Act respecting the Premier Life Insurance Company.

An Act to incorporate the Bruce Peninsula Railway Company.

An Act respecting the Prince Edward and Hastings Railway Company.

An Act to amend the Government Railway Small Claims Act.

An Act to amend the Inspection and Sale Act.

An Act for the relief of Bertha Hétu.

An Act for the relief of Elizabeth Chaussé.

An Act for the relief of Beatrice Mae Stinson Fotheringham.

An Act for the relief of Eva Jane Bateman.

An Act for the relief of Florence Relf.

An Act to incorporate the Cornwall and Hawkesbury Railway Company of Canada.

An Act to incorporate the North American Accident Insurance Company.

An Act to incorporate the Prudential Life of Canada.

An Act to amend the law relating to Merchant Shipping with a view to enable certain conventions to be carried into effect.

An Act to consolidate and amend the Acts respecting Fisheries and Fishing.

An Act to prohibit the manufacture, importation and sale of matches, made with White Phosphorus.

An Act respecting the Western Life Assurance Company.

An Act respecting the Western Dominion Railway Company and the Alberta Pacific Railway Company.

An Act to incorporate the Farnham and Granby Railway Company of Canada.

An Act respecting the Berlin, Waterloo, Wellesley and Lake Huron Railway Company, and to change its name to 'the Grand River Railway Company.'

An Act to Regulate the Manufacture and Sale of Dairy Products and to prohibit the Manufacture or Sale of Butter Substitutes.

An Act respecting the Fredericton and Grand Lake Coal and Railway Company and the Canadian Pacific Railway Company.

An Act respecting Saskatoon and Hudson Bay Railway Company.

An Act respecting the Toronto Terminals Railway Company.

An Act respecting the Saskatchewan Central Railway Company.

An Act respecting W. C. Edwards and Co., Limited.

An Act to provide for the payment of a yearly allowance to Mrs. Alice Joynson, widow of the late J. H. Joynson, a guard in the British Columbia Penitentiary.

An Act to amend the Supreme Court Act.

An Act to amend the Prisons and Reformatories Act.

After some time the House resumed.

SECRET COMMISSION ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (F-3), An Act to amend the Secret Commission Act, 1909.

(In the Committee.)

Hon. Mr. DAVIS.—Before dealing with the amendment which I propose, I would like to give some more information with reference to the Bill. It has been stated that all waiters and people of that class are opposed to this measure. I received to-day from Montreal a communication under the seal of the journeyman barbers, which reads as follows:

Montreal, May 26, 1914.

Hon. Mr. Davis,
Ottawa.

Please send me a copy of your Bill re Tipping one copy in English and one in French, and for God's sake let this Bill go through as soon as possible, it will do a great deal of good.

(Signed) J. D. MUNRO.

This document has the stamp of the Barbers' Union of the city of Montreal on it, a union embraces the whole fraternity of the barber business of the city. That goes to show that the barbers are in favor of it. I have a letter here from Johnston & Barber, groceries, china, crockery, glassware &c., wholesalers, of London, Ont. I do not wish to read the whole of this, but it is a very strong recommendation in favour of the Bill. In short the effect of the letter is this: that the tipping is going to be a burden on the wholesale trade of the country. They say they cannot keep track of their finances, under the existing conditions. A wholesale house will send out fourteen or fifteen travellers. The firm can check up railway fares and hotel bills, but has no means of checking up the tips the travellers give; in some cases these amount to some five to ten dollars a week. Any hon. gentleman can see what a burden this is on the trade of the country and the placing of that unnecessary tax of ten dollars a day on the wholesale houses that employ ten or fifteen travellers.

I have also a communication under the seal of the labour unions of the city of Winnipeg. This is signed L. G. Mette, secretary of the Labour unions of the city of Winnipeg which reads as follows:

Winnipeg, Man., May 22, 1914.

SENATOR DAVIS,—My idea of writing is to congratulate you on the introduction of the Anti-Tipping Bill, and to say that we heartily endorse your actions on the same. The vote of our local lodge was unanimous in endorsing your Bill. In fact, in so doing I believe we voice the sentiments of our entire organization, at which I estimate our Canadian membership at eight thousand. I believe we are in a position to appreciate your efforts. The Bill appeals to me on account of being a man of moderate means, and having travelled extensively through Canada and the United States, I could recall hundreds of disagreeable instances arising out of the tipping custom.

After your Bill has been ratified we implore and urge upon you to immediately use your influence to establish a minimum wage for female labour. Believing Winnipeg can set a rate we take liberties in suggesting that no person or company be allowed to employ female labour at a less renumeration than $40 per month.

We beg of you to give this your unceasing attention and sincerely hope that our girls will not be asked to live on less, which is impossible.

Absence prevented me from writing you before, but feeling reconciled in the belief that this will at least be encouragement to you in this work.

We would suggest that notices be posted as per Senator Boyer's amendment, stating that $50 of the fine be paid to the informant, otherwise we do not think it possible to abolish the custom.

Yours very truly,
L. G. METTE,
99 Osborne street, Winnipeg, Man.

This letter is signed by Mr. Mette who is secretary of the Fort Garry Lodge, No. 597 of the Labour Unions of Winnipeg. I received, in both French and English, numerous letters a few of which I shall read. As a matter of fact it would take me from now to twelve o'clock to-night to read all the letters of approval which I have re-

ceived from all sections of the country. Here are a few of the letters I have received on the subject :

Quebec, May 22, 1914.

Dear Sir,——Just a few words to congratulate you on your Anti-Tipping Bill. You cannot imagine how pleased we are to see that you are thus working in our interest. The matter is so far gone actually that we cannot be waited upon unless we pay twice the cost of a meal. Once more I thank you, wishing you all due success in your undertaking.

Yours very truly,
Napoléon Gélinas.

San Francisco, Cal., May 16, 1914.

SENATOR DAVIS,
Canada.

Dear Sir,—I note from our local papers that you are the author of a Bill to abolish 'tipping,' which was passed by the Senate Committee of the Whole without opposition.

I would be very much pleased if you would kindly send me a copy of this Bill so that I can place the same in the hands of our legislators, and I trust that we will meet with a like result.

Thanking you for courtesies to be extended,

I am, your faithfully,
E. W. LEVY.

State House, Indianapolis, Ind.,
May 21, 1914.

Senator Davis of the Dominion Parliament,
Ottawa, Ontario.

Dear Sir,—I have just seen a notice in the press of your Bill designed to prohibit tipping. I would be very glad if you would send a copy of you Bill to this bureau to be placed in our files in case similar legislation should be proposed in this state.

Yours very truly,
Charles Kettleborough,
Statistician and Draughtsman.

London, May 20, 1914.

Senator Davis,
Ottawa, Canada.

Dear Sir,—You will please pardon me for writing you another letter on this tipping business. The writer has had 25 years experience travelling on the road, so I know something about it. The trouble is, that the hotels are in league with their help to rob the public. I told Mr. Reid one time when I was in Quebec that I would not think of going in their hotel or any other large hotel and having two meals without giving a tip. I would be afraid that they would either spit in the soup or give me poison. You cannot turn around in any of these large hotels without your hand in your pocket. Let them pay their help what they are worth the same as we do or the same as any other respectable firm does. We would not think of allowing anybody to come in our store and tipping our help. I have talked on this subject with many travellers and they all have the same experience and the same opinions on this. It is rotten and I hope your Bill goes through. I have been all over this country, from Halifax to Vancouver, and have never had a row in a hotel in my life, which I think is a pretty good record, and will prove to you that I am no crank.

Again wishing your Bill all kinds of success, we remain,

Yours truly,
Johnson & Barbour,

London, May 20, 1914.

Senator Davis,
Ottawa, Canada.

Dear Sir,—I noticed by the 'Free Press' this morning that the waiters of the Chateau Frontenac, Quebec, are up in arms against your Bill. This is one of the hotels that they are not satisfied with a ten cent tip and the writer took this matter up about a year ago with Mr. Reid. He wrote me saying that they were thinking very seriously of trying out this hotel with no tipping. It was never tried out and I suppose they are still thinking. Why should a man be compelled to go in a hotel of this standing and give tips at all. The Canadian Pacific railway is a very wealthy company and are in a position to pay their help without holding up the public. You can easily see why the waiters in this hotel do not want your Bill to pass. The Canadian Pacific railway should be ashamed of themselves for tolerating this tipping business. If they came to us to buy any goods you can stake your last dollar that they would not give us any tip and why should we be compelled to tip their help. This tipping business is rotten, and 90 per cent of the men who give them will say the same thing. Wishing your Bill the very best wishes, we remain.

Yours truly,
Johnson & Barbour.

Mr. Reid, we understand, is the general manager of the Canadian Pacific Railway hotels.

Montreal, May 2, 1914.

Hon. Senator Davis,
Ottawa.

Dear Sir,—I notice in yesterday's issue of the different papers, that the waiters of some of the different hotels and other institutions that serve the public, are objecting to the Bill now before the Senate and which I hope and trust will become law. If there is an evil existing to-day, tipping is one of the greatest, and I can assure you it is the predominant wish of every traveller that you may be successful in having it placed as law on our Statute-book. I can assure you Sir, that you have behind you every traveller and a lot who never travel. There is nothing so disgusting and annoying as to have a great strong man standing behind you with his hand out waiting until you drop something in it. 'Polite beggars,' they say it is optional whether you give or not. Well, if you don't give don't go back, for you will get scant attendance there. There are many men who would like to take their family for an outing occasionally were it not for the fear of having them slighted because he cannot afford to pay the regular fare and tip every one who turns a hand for them. It has become a pure and simple hold up and it is time the turn was called. With best wishes for your success in your endeavour to do something for the people at large and assuring you of the support of all travellers, I beg leave to remain,

Very truly,
R. ELSWORTH.

Montreal, May 26, 1914.

Hon. Mr. Davis,
Senator,
Ottawa.

Dear Sir,—Please send me a copy of your Bill, the Anti-Tipping Bill—one copy in English and one in French—and for God's sake let this Bill go through as soon as possible, it will do a great good.

Yours truly,
Z. DI MURO,
1891 De LaRoche.

Here is a letter from a commercial traveller, expressing the views of those men:

Montreal, May 7, 1914.

Senator Davis,
Ottawa.

Dear Sir,—I must congratulate you for bringing in a Bill to abolish tipping. I trust you are successful in making it law. I have been travelling for the last twenty years from Halifax to Vancouver, so I know little something about the business. This tipping business is disgusting to me and I know it is to thousands more. These hotels such as this charge us an enormous price for everything and then we are supposed to pay their help. Some fool that never made a dollar comes along and to make himself a good fellow throws his money away. If he had to earn it he would starve to death. I have always made it a rule to give the waiter in the dining room ten cents at every meal. They use to say thanks, but no more, except you give a quarter. You are looked upon as a cheap skate if you give less. I would rather pay more and know there was no tipipng. It makes you feel right; the other way you do not feel the same. This tipping business only breeds grafters and thieves. I have crossed the Atlantic many times and I know something about how it is in Europe and also on the boats. Let us all pay a little more if necessary and be independent. I could write much more and I wish your Bill success.

I remain,
Yours sincerely,
Traveller.

London, May 22 1914.

Senator Davis,

Dear Sir,—Not knowing you personally, yet I feel that I almost know you better than many of my intimate friends as our opinions are so kindred on the no-tip degradation of which I have always been opposed. When returning from Edmonton last year on Canadian Pacific railway, I was singled out by waiter of diner. By his expression when he got my price for lunch when I placed no extra price of lunch on plate he called out 'Cheque—exact price—no change'—'same this morning.' I replied, yes no tip. I am like thousands of others set against tips and I informed the Canadian Pacific railway; all they did was to write a few letters. I wish you every success and rest assured you have every wholesaler and every honourable traveller at your back and to lose in a good cause is far more honourable than to win in a less worthy.

Sincerely yours,
W. S. Bryers, Barkwell.

The following is a pronouncement on this Bill from the Collingwood, Ont., Bulletin, of May 14, 1914:

Senator Davis of Prince Albert has introduced a Bill before the Senate which is intended to abolish tipping in this country and which, if carried, will at least make it a legal offence to offer or accept anything that might be so characterized. The Senator is along right lines and should be assisted. Coming from the West as he does he knows the great evils of the practice which, throughout Canada, but especially in the western provinces, has already become such a nuisance as to make travelling to the person of moderate purse almost unbearable rather than the pleasure it otherwise might be. The Bill should be enacted and come into force at an early date.

The manager in chief of one of Toronto's big hotels is opposed to the anti-tipping Bill now before the Senate. He says: 'All of our waiters, bell boys, shoe-shines, bartenders, porters, and all the rest of the hotel help to a great extent depend on tipping as their means of livelihood. Our waiters do not receive a large enough wage to keep them. They receive from us a very small wage, averaging about 85 to 90 cents a day. They are very poor waiters if they don't receive at least double or triple that amount every day. Of course this scale varies.

'It is the same with our bell boys. They receive a surprisingly small wage from us. And yet we refuse to keep them in our employ if they don't average over $2.50 a day. Many a boy is greatly discouraged if he receives only $3 a day in tips.'

The manager in chief quoted is deserving of admiration for his candid statement, but not so much can be said of the barefaced scheme to bleed the public. Proceeding, he says, were there any change the guests would have to pay more. Even then it would be more satisfactory. The guests would know that they were getting value for their money and were not being held up as at present. Go to it, Senator Davis. You are doing a public service.

The wholesale men particularly are anxious that this Bill should go through. The labour unions are in favour of it. They put it in this way: 'It is pretty near time our people were put on a wage basis, and not have to live on charity.' If a man comes in and asks for employment in an hotel, barber shop or any place else, he is entitled to his hire; yet he is told at once, 'we will give you $2 or $3 a week, and you must get the rest in tips.' That is a very precarious source of income on which to support a family under present conditions: you are pauperizing this man and making a mendicant of him. Fully 99 per cent of the people of the country are in favour of this measure; it is time that something should be done. I move the following amendment:

That the following words be added to paragraph (b) of the proposed section 3A:

'Or if he carries on business as the keeper of a hotel, inn, restaurant, café, place for the

sale of alcoholic beverages, barber's shop or place for polishing boots and shoes, or operates a railroad, dining, buffet, sleeping or parlour car fails to post up and to keep posted up in at least two conspicuous places in the premises in which such business is carried on in such car a notice that tipping is forbidden under penalty of fine and imprisonment.'

The amendment was adopted.

Hon. Mr. RILEY, from the committee, reported the Bill with an amendment, which was concurred in.

EXPLOSIVES BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (189) An Act to regulate the manufacture, testing, storage and importation of explosives. He said:

This Bill purposes to give authority to the Government to regulate and control the manufacture and handling of explosives. This subject had been before Parliament of 1911, when an almost similar Bill was considered. Owing to the lateness of its introduction in the dying hours of the session, the Bill was not brought to a successful conclusion. Hon. gentlemen are fully aware, from reports and otherwise, of the many fatalities which have occurred in the last few years, particularly during the construction of railways and otherwise, through explosions of dynamite and the handling of explosives in a reckless manner. It is proposed that the Government hereafter should exercise the closest supervision with reference not only to the making of the explosives, but as to their being handled.

Hon. Mr. BOSTOCK—This Bill has been rather slow in getting here. As the hon. leader of the Government has stated, this Bill was introduced in 1911. On account of the nature of the Bill and the desirability of controlling the manufacture and handling of explosives so that those accidents may not occur, it is a pity that the Government has not seen its way to dealing with this legislation sooner. Inasmuch as it has brought down the measure now, we must consider that it has seen the advisability of it, and is preparing to go ahead with it. I notice that the seventh clause of this Bill places in the hands of the Governor General, on the recommendation of the minister, provisions for dealing with this matter. I presume that when we get into committee the hon. leader of the Government will be able to give us some idea as to what the regulations are as to carrying out the provisions of this Bill, because I see it not only deals with the manufacture of explosives in factories, but also the use of explosives on the works. Clause 7 provides for the mixture of the component parts of explosives on the works. It would be desirable that the leader of the Government should give us, in committee, full particulars as to how that is to be dealt with, and also some idea of the accidents which have occured, if any, due to mixing explosives outside the factories, as well as in the factories, so that the committe may have some idea how this has been handled heretofore. I consider this a good measure, but the Government should have put it through sooner.

Hon. Mr. CASGRAIN—The Bill is in the right direction. The idea of it is that explosives should be carried separately, because when the component parts of the explosives are separate there is no danger of an explosion; it is only when they are blended together that they become explosives. That is the purport of the measure. I understand there is objection from some manufacturers to clause 7 in particular, and they would like, if possible, to be heard on this subject. I have always been opposed to referring any public Bill to any committee, but this seems to be a special case. Dr. Haanel, I understand, would like to appear before the committee, and explain that it is dangerous to allow the component parts of explosives to be blended by inexperienced hands, because those inexperienced people would perhaps not use the right proportions, —hence accidents would happen. On the other hand I thought at first that it was a very good thing to carry explosives in their component parts to their destination before they were to be exploded in useful work. As there are some people who would like to be heard, I have been asked to request the Government to consent to having this Bill sent to a committee. The Secretary of State, who is also Minister of Mines, would probably like to be heard before this committee to prove that the Bill is right, so that the Senate would know exactly what they were doing before passing the Bill.

Hon. Mr. POWER—A little consideration may, perhaps, show that the course suggested by the hon. gentleman may not on the whole be necessary. As I understand, when the Bill was introduced as a Government measure in the House of Commons clause 7 contained only the present sub-clause 1, which reads thus:

The minister may issue licenses for factories and magazines, and no one shall manufacture, either wholly or in part, or store explosives except in licensed factories and magazines.

Then at the instance of some one who, I understand, was interested in a factory in the province of Quebec, in the Eastern Townships, this sub-clause relating to the blending of explosives, was put in. As the hon. gentleman indicated in moving the second reading, the time of greatest danger is when the component parts are blended. As a rule, explosions have taken place where railways or other work of that nature were being constructed, and that is just the place where the Bill is most necessary. Hence sub-clause 2 of clause 7 practically undoes the whole work of the Bill; that is if the Governor in Council does what this provides for, then the whole work of the Bill is really undone. With respect to the suggestion that Dr. Haanel and some other gentlemen would like to be heard, I have to say that I understand that Dr. Haanel is an officer of the Government, and I am disposed to think that he was consulted in connection with the drafting of the Bill and that his feeling would be that this amendment is calculated to render the Bill practically valueless. The Government might make up their own minds between now and to-morrow or the day after as to whether it is necessary that Dr. Haanel should appear before the committee. As I take it, Dr. Haanel's views are already known to the Government. Speaking for myself alone I believe this sub-clause 2 should be stricken out.

Hon. Mr. LOUGHEED—I would say in explanation of this clause that its insertion in the Bill has undoubtedly created a considerable divergence of opinion as to the propriety of its adoption. There have likewise been expressions of opinion as to its necessity. As I understand, the object of it is to permit the use of explosives in the extraction of stumps and that kind of thing in the woods and on farms, and wherever small quantities of explosives may be used for purposes of that character. It permits of the minister in whose department the Bill will be administered, upon certificates from the chief inspector and chief chemist of explosives, allowing the blending of the component parts of authorized explosives; hence such blending will be surrounded with every safeguard so as to prevent such an abuse as my hon. friend from Halifax (Hon. Mr. Power) has pointed out. My hon. friend will recognize at once the very great inconvenience that will be suffered by farmers and others who use explosives for the purposes I have mentioned if they are not able to use such in the manner indicated in sub-clause two of section seven. If that sub-clause were not inserted, they could not use those explosives for the purposes indicated except a license were issued to them for such purpose, because the place in which the explosives are to be used or assembled, as the case might be, would be a factory under the Act. Now it would be susceptible of criticism that before a farmer could use explosives for blowing some stumps out of his farm, he would have to become a factory, so to speak, under the Explosives Act and have a license issued to him by the minister. That is one of the difficulties that has to be overcome. Hon. gentlemen can appreciate that in the adoption of a Bill like this so many conditions arise and it is difficult to make proper provision to meet all the contingencies that would present themselves to one's mind. We must take into consideration, however, that the use of explosives in small quantities for such purposes as I have mentioned, has entered very largely into everyday life, and we have to protect, so far as we can, the use of those explosives, due regard being had to the question of convenience, and the preventing of the passage of such a measure being made a hardship to those who would have to use this article. However, I would be quite content that the measure should go before one of the standing committee of the House so that those gentlemen who are interested might be heard. There is no desire on the part of the Government to injure the interests of any parties who may be interested in the manufacture of explosives. Upon this Bill receiving its second reading I would consent to its going before the Committee on Banking and Commerce.

Hon. Mr. BOSTOCK—Or Railways.

Hon. Mr. CASGRAIN—Railways might be better than Banking and Commerce.

Hon. Mr. LOUGHEED—Very well.

The motion was agreed to, and the Bill was read the second time.

EXPORT ACT AMENDMENT BILL.

IN THE COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (84), An Act to amend the Export Act.

(In the Committee.)

On clause 1.

1. The Export Act, chapter 50 of the Revised Statutes of Canada, 1906, is amended by adding thereto the following section:

7. The Governor in Council may by regulation prohibit the exportation from Canada of petroleum, in its crude or partly manufactured state.

Hon. Mr. BOSTOCK—Could the hon. gentleman say if there is any intention of putting into force these regulations at the present time?

Hon. Mr. LOUGHEED—No, I think I may safely say that to my hon. friend. It would be only in the event of such evidence being submitted to the Government as to show it to be possible to establish refineries in Canada and to refine raw oil to the advantage, and the interest of Canada. It would be one of the last objects the Government would have in view to in any way embarrass the exploration for oil and its exportation, provided we cannot refine it.

The clause was adopted.

Hon. Mr. GIRROIR, from the committee, reported the Bill without amendment.

IRRIGATION ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (138), An Act to amend the Irrigation Act.

(In the Committee.)

Hon. Mr. BOSTOCK—I notice in the Bill before us the following definition:—

(h) Duty of water means the quantity of water that is required to irrigate one acre of land in each irrigation season.

In the Revised Statutes, Chapter 61, the duty of water means the area of land a unit of water will irrigate, which unit is the discharge of one cubic foot of water per second. There is nothing said in the Bill we have before us as to what the amount of water per acre is to be. That is rather a curious definition of the duty of water.

Hon. Mr. LOUGHEED—My hon. friend will see that the quantity is that amount required to irrigate one acre of land in each irrigation season.

Hon. Mr. BOSTOCK—Who decides that?

Hon. Mr. LOUGHEED—And it would largely depend on the climatic condition; that would have to be determined by the department.

Hon. Mr. BOSTOCK—Under this Act you give a man a right to use so much water on a certain piece of land. The amount of water he would require one season would be possibly greater than he would require another season. It seems to me it makes rather a curious situation, and is too indefinite altogether.

Hon. Mr. LOUGHEED—Before a permit is issued it will be necessary for the officers of the department to acquaint themselves with the particular locality in which that land lies, the conditions as to how much water might be obtainable, and so on. It seems to me those are particulars which have to be worked out by experts, and can only be worked out when regard is had to all the conditions attending the application made for water rights. The department is of the opinion that this definition can be very much more satisfactorily applied than the definition under the Revised Statutes, which we are now repealing by this clause.

Hon. Mr. BOSTOCK—Of course, the amount of water required for one crop might be considerably more than for another crop. For instance if a man starts a crop of wheat or oats, and afterwards wants to grow clover or alfalfa or anything of that kind he would require very much more water in the second case than in the first. Is all that going to be taken into consideration?

Hon. Mr. LOUGHEED—Yes, I think so. That is the reason the measure is given more elasticity than it had before.

The sub-clause was adopted.

Hon. Mr. POWER—Perhaps the hon. gentleman would state the changes made by the various clauses.

On clause 2.

2. Section 2 of the said Act, as amended by section 1 of chapter 38 of the statutes of 1908, is further amended by adding the following paragraph thereto:

"(n) 'municipal purposes' means household and sanitary purposes; the watering of animals, streets, walks, paths, boulevards, lawns and gardens, fire protection and the flushing of sewers; water which is necessarily used in the construction of buildings and of civic works, and other purposes usually served by water within a city, town or village".

Hon. Mr. LOUGHEED—This is amended so as to clearly define the use of water within a city, town, or village. It is not designed to change in any way the procedure for granting the use of such water, but merely to describe such use for municipal purposes instead of other purposes, which has been

the only terms possible under the existing law.

The clause was adopted.

On clause 3.

3. Subsection 2 of section 6 of the said Act, as amended by section 2 of the said chapter 38, is further amended by adding the following proviso thereto:

"provided that nothing contained in this Act shall interfere with, or be understood as intended to interfere with, the right of any person owning or occupying any land which adjoins any river, stream, lake or other body of water referred to in this section, to use such quantity of its waters as he may require for domestic or industrial purposes on such land; but he shall not be entitled to the right of

Hon. Mr. LOUGHEED—Subsection 2 of section 6 of the Act provides in general terms that no person shall divert or use any water otherwise than under the provisions of this Act. The law was never intended to prevent riparians from using any water on a stream adjoining their land. The permanent diversion of water by pipe is prohibited, unless the user obtains a water right in accordance with the law. The purport of the proposed amendment is to clearly define the right of riparians to the use of water for domestic purposes.

Hon. Mr. BOSTOCK—How about industrial purposes? I should like to draw my hon. friend's attention to a definition in chapter 38 of the statutes of 1908 referring to industrial purposes, the working of factories by steam.

Hon. Mr. LOUGHEED—This refers to riparian rights as distinguished from rights that might be acquired otherwise for the use of water.

Hon. Mr. BOSTOCK—Is it not extending rather the idea of riparian rights under the law. Has it been found necessary to do this?

Hon. Mr. CASGRAIN—This would only refer to the use of irrigation ditches, and would not refer to the rights of riparian on natural watercourses. I understand the hon. gentleman means riparian proprietors on the artificial ditches.

Hon. Mr. LOUGHEED—No, this defines what uses the riparian owner may make of the water upon his own land.

Hon. Mr. CASGRAIN—Natural water courses?

Hon. Mr. LOUGHEED—Yes, water upon his own land. His riparian rights would entitle him to use it for those purposes.

Hon. Mr. BOSTOCK—It speaks of industrial purposes.

Hon. Mr. ROSS (Middleton)—He simply uses it on his own land. The last part of the clause provides that he cannot divert it.

Hon. Mr. CASGRAIN—Does this apply only to natural watercourses; or does it apply also to artificial ditches?

Hon. Mr. LOUGHEED—The riparian rights would extend only to natural watercourses, not to any artifically constructed.

Hon. Mr. BOSTOCK—In British Columbia: as I understand under the law there, if water is required for purposes such as are defined here as industrial purposes—the working of railways or factories by steam—a permit has to be taken out; but in this case a railway or factory would be looked upon as a riparian owner and could take the water.

Hon. Mr. LOUGHEED—If they were the owners of the land through which the stream of water might run they would have a right to use the water, but not to divert it for industries, carried on away from the property.

Hon. Mr. CASGRAIN—If a ditch like the irrigation ditches near Calgary ran through a man's property who was not buying that water, do you mean to say that the man's cattle could not drink from those ditches?

Hon. Mr. LOUGHEED—In most of those cases the ditches may have been expropriated. It is necessary for the purpose of carrying out a large irrigation system, that right of way should be obtained for the ditch. There might be no riparian rights under those conditions.

Hon. Mr. CASGRAIN—But they are not fenced in, and it would be hard to prevent a man's cattle drinking from those ditches.

Hon. Mr. LOUGHEED—I fancy if they leave the ditch open so that cattle may have access to it, there is no law to prevent cattle quenching their thirst.

Hon. Mr. POWER—I do not think any one would collect heavy damages for the water that cattle might drink.

Hon. Mr. BEIQUE—The first portion of clause 3 gives to the riparian owners a right to use such quantity of its waters as he may require for domestic or industrial purposes on such land. Then it proceeds to say:

'But he shall not be entitled to the right of diverting, nor shall he divert from any such body of water by any pipe, flume, channel,

ditch or other means used in the diversion of water, any water he may require unless authority therefor has been obtained under the provisions of this Act.'

I am not sure as to the meaning of that. Would not the effect of this last portion be to defeat the object of the first portion?

Hon. Mr. LOUGHEED—The riparian rights would not extend beyond where the water would touch upon the land of the owner, hence if he were to divert that water he would divert it to other land. It is simply to prevent him diverting that water from the land.

Hon. Mr. BEIQUE—I understand that to be the intention, but would it not be better to say except for the purpose above mentioned, he shall not be entitled to the right?

Hon. Mr. LOUGHEED—If he used it on the land he would not divert it.

Hon. Mr. BEIQUE—He would divert it from the watercourse.

Hon. Mr. ROSS (Middleton)—If a man lives on a lake or stream he has a right, as against the man below him, to use the water of such lake or stream for domestic or manufacturing purposes, provided he brings it back into the stream again. This clause gives him his common law right, but he is prevented from diverting the water to other lands without getting a permit. This is simple.

Hon. Mr. BEIQUE—Yes, if it is clear.

Hon. Mr. ROSS (Middleton)—It really reserves to a man his common law right.

The clause is adopted.

On sub-clause 5—'Minister may permit diversion of water.'

Hon. Mr. POWER—That clause should be explained.

Hon. Mr. LOUGHEED—The law, as it now stands, makes no provision for granting permission to any applicant for water to use water, until he has completed his work and received a license. This provides for the issuing of a permit during the construction of works for the use of water that is contemplated to be used under license upon the completion of the work. It simply permits the minister in the interim to grant a permit to use that water.

The clause was adopted.

On the clause 6—'Minister may waive public notice.'

Hon. Mr. POWER—Why do you dispense with publicity?

Hon. Mr. LOUGHEED—The present law gives the minister power to waive the filing of memorial and plans but this power has never been exercised. It is not believed to be good policy. The effect of the proposed amendment is to take away the power to do so. It takes away the discretion from the department.

The clause was adopted.

On clause 7—'Power to take lands.'

Hon. Mr. POWER—I see the minister is substituted for the Board of Railway Commissioners: Is that a desirable change?

Hon Mr. LOUGHEED—Yes, because this Act is administered entirely by the Department of the Interior, and it is undesirable to have a divided authority, particularly where the duty can be discharged by the officials of the Department of the Interior very much more conveniently and acceptably than by the Minister of Railways.

Hon. Mr. BOSTOCK—There is nothing about the Railway Commissioners in the original Act.

Hon. Mr. LOUGHEED—No, but there is about the Department of Railways and Canals. When the section, as it now stands, was made a provision of the Irrigation Act, it clothed the minister and the Department of Interior with all power for expropriation for irrigation purposes which the minister and the Department of Railways and Canals then had, as to expropriation for railway purposes. Subsequently the Railway Act was amended to vest certain powers in the Board of Railway Commissioners, and it has been held that this has curtailed the powers of the Minister of the Interior with respect to expropriation for irrigation purposes; this is to re-establish the power of the Minister of the Interior.

Hon. Mr. BOSTOCK—It does not amend the wording of the Act.

Hon. Mr. LOUGHEED—No.

The clause was adopted.

On clause 9—'Use of irrigation works for storage of water.'

Hon. Mr. POWER—The minister might explain sub-clause 5.

Hon. Mr. LOUGHEED—Speaking as to the general policy of the section, the amendments are for the purpose of preventing any person or company monopolizing the water supply. The amendment is so framed as to materially protect existing rights, while making provision for the use by others of any works which are not being fully used, or cannot be advantageously enjoyed so as to serve a useful purpose.

Hon. Mr. POWER—It is a very arbitrary clause. 'If, in the opinion of the minister,'—does not that require that there should be any report of an officer or anything upon which the minister bases his opinion—

5. If, in the opinion of the minister, any works for the carriage of water are not being utilized to their full capacity by their owners.

Now the parties, who have perhaps spent a great deal of money in making these works, may not always be in the position of utilizing them to their full capacity. Then you go on—

and can be advantageously utilized—

—that is, in the opinion of the minister—

to carry a larger quantity of water required for domestic purposes, without interfering with the use of the works by their owners the works shall be placed at the disposal of the minister for such purpose, and if they are not so placed within a period of fifteen days from the date of notice to the owners by the minister that he requires possession of them for such purpose he may take possession thereof without further notice.

Hon. Mr. LOUGHEED—He makes compensation.

Hon. Mr. POWER:

Provided that if injury or damage results to the works because of the carrying of such larger quantity of water, the minister may fix the amount of compensation to which the owners of the works are in his opinion entitled and that amount shall be paid to the owners out of the Consolidated Revenue Fund of Canada.

The minister is plaintiff, judge, and jury and everything else. I appeal to my hon. friend from Middleton (Hon. Mr. Ross) if he does not think that is rather strong.

Hon. Mr. LOUGHEED—My hon. friend's criticism is probably due to the fact that he has not come into contact with the actual conditions which obtain as to the utilization of water under an irrigation system. It is confined almost exclusively to British Columbia and the provinces of Alberta and Saskatchewan; but my hon. friend must remember that the administration of this Act is carried out under the supervision of highly trained and experienced experts. 'The minister' is simply a phrase that is used. The minister may know very little about, and probably does know very little about it; he can only be set in motion through his properly experienced officials advising him to pursue a particular course. But, as is well known, and my hon. friend the leader of the Opposition will know, in areas where irrigation systems are used a very large amount of water may be vested by permit in the owners of certain ditches, who may only occasionally use that water. Perhaps this season they would not use the water at all. It may depend entirely on the use they were making of their lands—whether they were cropping their lands in a particular way or cropping them at all. Consequently if water is needed, and particularly where water may be had in very limited quantities, it is very desirable that the minister should have authority to use that water for other purposes if it is manifestly to the advantage of other settlers or other industries that that water should be used. No abuse can arise from the exercise of the authority, because it is all subject to compensation.

The clause was adopted.

Hon. Mr. BOYER from the Committee reported the Bill without amendment.

CANADA GRAIN ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (170), An Act to amend the Grain Act.

(In the Committee.)

On clause 1.

Hon. Mr. BOSTOCK—Will the hon. leader of the Government explain the clause?

Hon. Mr. LOUGHEED—In the working of terminal elevators the grain that comes in is burdened with freight and other charges necessary to convey it to the terminal elevator. The warehouse man has, under the Act, to pay those charges when he takes the grain in, and those charges are then repaid by the shippers of the grain, either before, or at the time they ship it out. As my hon. friend knows, the Government now has become practically a warehouse man, owing to their owning both terminal and interior elevators. It is therefore most desir-

able that a certain fund should be placed at the disposal of the operation of these warehouses. Of course it is simply used temporarily for those purposes, and is repaid later.

The clause was adopted.

Hon. Mr. DAVID from the Committee reported the Bill without amendment.

COMPANIES ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committe of the Whole on Bill (177), An Act to amend the Companies Act.

(In the Committee.)

On clause 2.

Hon. Mr. BOSTOCK—Will my hon. friend give us some explanation about this?

Hon. Mr. LOUGHEED—Yes, I will be very glad to do so. The object of these amendments, chiefly, is to permit of share warrants being issued instead of certificates for stock. I might say that a share warrant is a share certificate transferable by delivery without any record of such transfer being made in the books of such company. The warrant usually provides that when dividends are declared by the company and advertisement setting out the rate and time of payment must be inserted in certain papers, and also that the dividend coupon attached to the warrant may be cashed at certain banks. Thus I might go on and explain what the rights of holders of share warrants are. I might further say that it has been found very much more popular in floating particularly Canadian companies in the European money market, that share warrants should be issuable instead of stock certificates; and it is for the purpose of facilitating the financing of those companies and the transactions of their business particularly in European countries that it is desirable to make this change.

Hon. Mr. BOSTOCK—I can understand that that is very necessary, but I think sub-clause 7 gives the power of using share warrants for voting purposes at a meeting. Does my hon. friend think that that is a desirable power for them to have?

Hon. Mr. LOUGHEED—It would rest with the company as to the conditions upon which they should issue share warrants. It all depends on whether the company will give the voting power to a holder of a share warrant. I see no good reason why the holder of a share warrant, if he should come in, should not be entitled to the same voting power as a shareholder.

Hon. Mr. BOSTOCK—I understand that with these share warrants, the manager of a bank may hold a lot of share warrants for other people, and it would have put him in a position, if he could vote on the share warrant, of practically controlling the company.

Hon. Mr. LOUGHEED—The same thing might occur by proxy.

Hon. Mr. ROSS (Middleton)—Section 4 reads:

> The bearer of a share warrant may, if the provisions and regulations respecting a share warrant so provide be deemed to be a shareholder of the company, either to the full extent, or for any purposes defined by such regulations.

It will all depend what the company arranged for in the first instance. They can easily be full shareholders, but they cannot be directors. They can vote as if they had so many shares, if you provide for that.

Hon. Mr. EDWARDS—What is the desirability of share warrants in an ordinary industrial company.

Hon. Mr. ROSS—The strongest reason is that when you get on the continent of Europe they will not buy shares, but will buy share warrants, I suppose the secret of that is that the share warrant passes from hand to hand as a bank note.

Hon. Mr. CASGRAIN—But where is the script in the meantime.

Hon. Mr. ROSS (Middleton)—They merged that. There is full provision for what they do as to that.

That is the stock certificates are called in and the entry is made in the book. You cannot have a share warrant and a stock certificate existing at the same time for the same stock. It sprung from the old practice where you had stock certificates outstanding, and a bank or trust company held those in trust and issued their certificates, but it was found better to give them out in this way, and have the company issue them.

Hon. Mr. CASGRAIN—But when you endorse your stock over?

Hon. Mr. ROSS (Middleton)—You have to surrender your certificate to do that.

Hon. Mr. BEIQUE—I know that it has been the policy this year to grant this power of issuing share warrants to several companies for the purpose of facilitating the placing of their stock in foreign countries, but I draw the attention of the House to this, especially now that everything is being turned into joint stock companies, that this will be a means for dishonest debtors to place their assets outside of the reach of their creditors.

Hon. Mr. CASGRAIN—Hear, hear.

Hon. Mr. BEIQUE—The policy of the law in the several provinces—and I think it was a wise policy—was that no transfers would avail, unless they appeared on the transfer books of the company, so that it might be open to any creditor or any shareholder to seize the stock for the payment of the debenture. Now with this practice that is being inaugurated, the creditors will not be able to reach the stock of a shareholder. Every company will issue share warrants, and these share warrants will be carried in the pocket or in the safe deposit by debtors who have no intention of paying their debts.

Hon. Mr. LOUGHEED—Can they not do the same thing with bank bills? I venture to say that not in one per cent of cases where litigation is carried on, is stock seized by a creditor.

Hon. Mr. BEIQUE—Bank bills are not carried in the pocket. They are deposited in the bank, and the deposit is attached by the creditor.

Hon. Mr. ROSS (Middleton)—There are large companies controlled by one or two men, and if you look at the books you will not find ten shares in their name.

Hon. Mr. CURRY—The memorandum states states that this has been in operation in Great Britain since 1867. If they have tried it out for so long a period and found it satisfactory, we will be taking no chances in adopting it.

Hon. Mr. EDWARDS—I quite conceive how this is done. It is to facilitate the selling of the stock abroad. This Bill is to enable the incorporation of companies by letters patent or by the general Act. In my humble opinion this power should not exist in the general Act. Companies wanting this power should come to Parliament and get a special Act. So far as our industrial companies are concerned, generally in Canada the stock is not sold abroad but is sold in this country. The selling of stock abroad only applies to very few companies, and generally if there is one thing a corporation desires above all others, it is to have a knowledge of where the stock is, and this provision removes that very desirable feature. So far as the general Act is concerned, it would be far better not to give in it the power to issue share warrants. A company desiring that extraordinary power should come to Parliament and get a special Act.

Hon. Mr. ROSS (Middleton)—It is utterly impossible to guard against the shares being hidden. Take any of the companies that have not this power at all, but have the ordinary share certificates with the transfer on the back. A man can transfer one hundred thousand shares and give a power of attorney to vote along with that and the company knows nothing about it. The company sees the name of a man appearing on its books, a certificate has been issued to him, but it may have passed through half a dozen hands since the entry.

Hon. Mr. EDWARDS—That applies to some companies but there are many companies where there is no such power to endorse shares over on the back, and have them transferred, as my learned friend has described. Generally that is not the case but it happens occasionally.

Hon. Mr. ROSS (Middleton)—With insurance companies, banks, etc., you have to make a transfer in the books of the company, but for the last 20 years industrial companies, mining companies, and railway companies, have the power of endorsing on the back.

Hon. Mr. EDWARDS—I am talking of ordinary industrial companies.

Hon. Mr. CURRY—That is done every day.

Hon. Mr. EDWARDS—But it is not the general practice.

The clause was adopted.

On sub-clause 4:

4. Where either before of after the passing of this Act a company has redeemed any debentures previously issued, the company, unless the conditions of issue expressly otherwise provide, or unless the debentures have been redeemed in pursuance of any obligation on the company so to do (not being an obligation enforceable only by the person to whom the redeemed debentures were issued or his assigns), shall have power, and shall be deemed always to have had power, to keep the debentures alive for the purposes of re-issue, and where a company has purported to exercise such a power the company shall have power, and shall be

deemed always to have had power, to re-issue the debentures either by re-issuing the same debentures or by issuing other debentures in their place, and upon such a re-issue the person entitled to the debentures shall have, and shall be deemed always to have had, the same rights and priorities as if the debentures had not previously been issued.

Hon. Mr. BEIQUE—A portion of this section is very objectionable. It would open the door to this; that companies may have issued different classes of debentures, debenture bearing first mortgage, and debentures bearing second mortgage, and that the first debenture may have been redeemed, and under this provision it would be open to the company to reissue an equal amount of debentures. These debentures would take rank before the second issue or the second mortgage, which, on account of the fact of the debentures having been paid and redeemed before the passing of this Act, the second debentures would become ipso facto a first mortgage on the property. It would interfere very seriously with vested rights and holders of second class debentures.

Hon. Mr. LOUGHEED—But not hereafter.

Hon. Mr. BEIQUE—As I understand the Bill this is a retroactive section which will apply to past debentures as well as future.

Hon. Mr. LOUGHEED—But the debentures must be kept alive. If the debentures have been redeemed under the old law and the law operated so as to extinguish them that issue could not be given vitality again.

Hon. Mr. BEIQUE—The object of this clause is practically the same as embodied in section 126 of the Railway Act, subsection 6, which reads as follows:—

"The power to issue securities conferred upon a Company by this Act or under a special Act shall not be construed as being exceeded by another issue, and such power may be exercised from time to time, provided that the limit of the amount of securities fixed in the special Act shall not be exceeded.

This is a clear provision which should be sufficient it seems to me, but to go further and say that if the re-issue is made after the debentures have been redeemed, that the bearer of the same will have the same priority as if the debentures had not previously been issued, is, I think, going too far.

Hon. Mr. LOUGHEED—Yes, but they must have been redeemed for the purpose of keeping them alive.

Hon. Mr. BEIQUE—I invite the attention of the hon. gentleman to this.

Hon. Mr. ROSS (Middleton)—This is a copy of English legislation, and it arose under these circumstances: English companies, on the advice of Mr. Palmer, who was quite an expert, thought they had the right to take debentures, when they could not sell them, and borrow money on them from the bank, and when they paid off the loan they could sell them; but some person raised the question that once having issued them to the bank to borrow money on them and got them back, they could never re-issue them. It was decided that these debentures were dead.

Hon. Mr. CASGRAIN—Even if they were only pledged.

Hon. Mr. ROSS (Middleton)—Yes, it affected nearly every company in England, and they had to get an Act of Parliament to enable them to do this thing. So far as I can see there is no danger, because when you have an issue of say one million dollars, if you sell them under the Act, when you buy them back they become dead, or else you have to make provision that you could take them in and re-issue them back, in which case you would destroy the sale of your security, because when you sell, you sell under that clause providing for the redemption, and destroy them.

Hon. Mr. THOMPSON—Supposing you had two series of issues, each of $100,000, under the provision enabling you to issue debentures. You pay off the first issue and an interval occurs between that and the issue of the second lot: would you claim that you always had a right to issue that, and supersede other stock which had been issued?

Hon. Mr. ROSS (Middleton)—No, but if I had two issues and instead of selling the two I borrowed money from the bank on one of them and then repaid the loan by selling the bonds, I could issue them there.

Hon. Mr. BEIQUE—What the hon. gentleman says is provided for by subsection (b):

Where a company has, either before or after the passing of this Act, deposited any of its debentures to secure advances from time to time on current account or otherwise, the debentures shall not be deemed to have been redeemed by reason only of the account of the company having ceased to be in debit whilst the debentures remained so deposited.

I do not object to that. On the contrary I suggest section 6 of the Railway Act when it was embodied in 1903, for the very reason the hon. gentleman has stated. I was aware

of the fact that the question had arisen in England, and that it had had a very drastic effect on the security of companies, but I again say that my reading of clause 4 goes much further than that, and that it would interfere with the vested rights of owners of debentures.

At six o'clock, the committee rose for recess.

After Recess.

The House resumed in Committee of the Whole consideration of Bill (177), 'An Act to Amend the Companies Act.'

On clause 4, sub-clause (b).

Hon. Mr. BEIQUE—I would ask if the hon. leader of the Government in the House considered this sub-clause.

Hon. Mr. LOUGHEED—Yes; I might say that since our adjournment I got into communication with the under Secretary of State who had charge of the preparation of this Bill, and he informed me that this clause has been taken, word for word, from the English Companies Act.

Hon. Mr. BOSTOCK—That Act is not retroactive?

Hon. Mr. LOUGHEED—It is retroactive to this extent, that where a company redeems any debentures or debenture stocks previously issued, then it may do so and so.

Hon. Mr. BEIQUE—But it is legislating only for the future, whereas clause 4 legislates for the past as well as the future.

Hon. Mr. LOUGHEED—We might just let that clause stand in the meantime, and go on with the other.

The clause was allowed to stand.

On clause 4 sub-clause (c).

Hon. Mr. BOSTOCK—This paragraph would be affected by any change made in the first part of the clause, would it not?—whether the issue or re-issue was made before the passing of this Act. Perhaps that had better stand for the present.

Hon. Mr. BEIQUE—If clause 4 is corrected, I would not see any objection to let this sub-clause (c) pass.

Hon. Mr. LOUGHEED—We will let clause 4 stand and pass the others.

Sub-clause (c) of clause 4 was adopted.

On clause 4 sub-clause (d).

Hon. Mr. BEIQUE—I would like to call attention to this paragraph:

> (*d*) Nothing in this section shall prejudice:
> (i) The operation of any judgment or order of a court of competent jurisdiction pronounced or made not later than ninety days after the passing of this Act as between the parties to the proceeding in which the judgment was pronounced or the order made, and any appeal from any such judgment or order shall be decided as if this Act had not been passed.

According to the practice in Quebec it will be easy to prevent a case being brought to judgment within three months, especially on the eve of vacation when the courts will not sit for over two months; then because three months would have elapsed before the judgment was rendered the rights of the party would be affected. This should be worded differently; it should not affect pending cases.

Hon. Mr. LOUGHEED—How would it do to extend the time.

Hon. Mr. BEIQUE—The parties might not know of the passing of the Act; their case might be dormant for two or three years, and they might then find that their rights were affected. It is usual to preserve vested rights.

Hon. Mr. LOUGHEED—What would you propose in lieu of this?

Hon. Mr. BEIQUE—I drafted the proviso for clause 4, and I believe the same idea might be adopted for that clause:

> Provided that nothing in this sub-clause shall be construed or interpreted as affecting any right acquired at the passing of this Act by any debenture holder by reason of the payment or redemption of debentures thus previously assumed.

That was the amendment that I intended to move in addition to clause 4.

Hon. Mr. LOUGHEED—I would suggest that you give this as a notice of amendment, and then I will move that the committee rise and we will later consider its application. That would apply to the whole section.

Hon. Mr. BEIQUE—It might apply to the whole section.

Hon. Mr. LOUGHEED—It would cure the difficulty of which you speak.

Hon. Mr. BEIQUE—No, I am not satisfied it would cure the difficulty of which I speak now. If it took the place of (i), though worded somewhat different, it might cure the whole.

Hon. Mr. LOUGHEED—Just put it in the shape that you propose to put it.

Hon. Mr. BEIQUE—I shall leave it practically as it is. The point that I desire to make is this: that I am afraid the legislation is going too far, that the legislation should be limited to subsection 6 of section 136 of the Railway Act. That would be the best legislation, even for the future; but as I find it always disagreeable to take issue with the Government, which should be given a pretty large latitude on Government Bills, I am disposed to move amendments only in what I consider to be extreme cases. Therefore I propose now to limit my amendment to the saving of acquired rights; and my reading of clause 4 is this; that a railway company which has issued say, one million dollars, of bonds and has paid $500,000 of those bonds, the value of the remaining $500,000, of course has been increased from the fact that one-half of the bonds has been redeemed. Now, clause 4 would enable the company to re-issue the $500,000 that has been redeemed, and there would still be $500,000 remaining that would take rank 'pari-passu' with the whole million dollars. So if we take a case which would be a worse case, where a company had issued one million dollars of second mortgage bonds, the holder of second mortgage bonds had the right to contemplate that when the first issue was paid, the second mortgage would become first mortgage. In the instances that I suggest, the first mortgage having been paid, the second mortgage has in effect become a first mortgage. Under this Bill, clause 4, it would be open to the company to change the position of the holder of the second mortgage which has become a first mortgage, and to reinstate him as a second mortgage again.

Hon. Mr. LOUGHEED—Is that not a very exceptional circumstance?

Hon. Mr. BEIQUE—No.

Hon. Mr. LOUGHEED—For this reason: a company making two issues of debentures, the second issue will certainly realize a less amount than the first. By retiring or extinguishing the first issue they give value to the second, and very seldom will a company be found to exhaust the first issue by extinguishing their debentures. They will keep them alive and re-issue them by some other means. The case to which my hon. friend refers is a very rare one indeed.

Hon. Mr. BEIQUE—Suppose it is?

Hon. Mr. LOUGHEED—The purpose that my hon. friend has in view might equally be accomplished by striking out the first four words of subsection 4 'either before or after.' If my hon. friend will put his amendment in shape, I shall be very glad to have it considered.

Hon. Mr. KERR—The holder of the second mortgage would have a right to expect that, when the first was paid off, his security would be improved. The answer to that is that he would, if there was not a provision of this kind in the Act, that if the first mortgage was paid off, his would remain the same. He would not be misled because the words of the statutes provide for it, and therefore no injustice would be done to him. He would know that when he advanced money on second mortgage that that mortgage would be considered as continuing a second mortgage until paid off, and he could not, and the public could not, say that they were misled, because the right is reserved to restore that first mortgage.

Hon. Mr. BEIQUE—The Bill might be made to take effect only in the future.

Hon. Mr. ROSS (Middleton)—The hon. gentleman has not given full effect to the first four or five lines of sub-clause (b). The clause provides for the difficulty the hon. gentleman has mentioned. The English Act was made retroactive on the ground that there was a mistake of law which affected nearly all the corporations in the United Kingdom.

Hon. Mr. KERR—But in this country that state of things does not prevail. When men here advance money on a second mortgage they do not expect it will become a first mortgage.

Hon. Mr. ROSS (Middleton)—The lawyers here went by the same authorities, Palmer and others, as the English lawyers do, and unless you make this retroactive you do not get over the difficulty that exists with regard to corporations all over the country.

Hon. Mr. LOUGHEED—I move that the committee rise and report progress, and if before we adjourn to-night I obtain the information, I shall ask the House to again go into committee so that we can complete the Bill.

The motion was agreed to.

FIRST AND SECOND READINGS.

Bill (U-3) An Act for the relief of Helen Vineberg.—Hon. Mr. Taylor.

CANADA TEMPERANCE ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (180) An Act to amend the Canada Temperance Act.

(In the Committee.)

Hon. Mr. BOSTOCK—Can my hon. friend give us some explanation of this Bill?

Hon. Mr. LOUGHEED.—The explanation is, as I pointed out last night, that when this Act was first passed proper consideration was not given to the conditions which obtain in those western provinces as to the electoral lists. For instance, it apparently was assumed that the same conditions obtain there as obtain in other provinces of Canada. We, for instance, have a different system of preparing the electoral list. In some of the provinces we have no counties, such as we have in the East, etc., and it is simply to assimilate the law to the electoral conditions which obtain in those three western provinces.

Hon. Mr. DAVIS—There has been a vote taken under this Act in the western provinces.

Hon. Mr LOUGHEED.—They have attempted to submit it. It will be observed that the amendments are all of a technical nature.

On clauses 3—signature to petition.

Hon. Mr. DAVIS.—Sub-clauses (c) of that clause reads as follows:

(c) Where there are no voters' lists in force in the whole or any part of any city or county, such number as is established to the satisfaction of the Secretary of State as being the total number of persons who possess the qualifications of voters for such city or county, other than that of being on a voters' list.

Now the qualification of a voter in a city is restricted; he must be a property owner.

Hon. Mr. LOUGHEED.—No, that is simply for municipal purposes. My hon. friend will see if he will look at sub-clause (f) of clause 2 that the Representation Act provides for representation in the Parliament of Canada, and will govern in those provinces.

Hon. Mr. DAVIS.—The voters then that would vote on this question would have the same qualifications as a voter in a federal or provincial election.

Hon. Mr. LOUGHEED.—The section which we propose to amend in the present Act is section 8, which provides that the Act shall be submitted at the request of one-fourth of all the electors in the area to be affected. That means that they would be electors for federal representation. This is a Dominion Act. As to whether the Act shall come into operation, this is determined by the votes of electors for Dominion purposes. That is the way I understand it.

The clause was adopted.

On clause 6.

6. The following section is inserted immediately after section 105—

105A. Subject to the foregoing and to remove doubts it is declared that the Superior Courts of record for the trial of civil actions in the different provinces shall have jurisdiction respectively to try any action brought to set aside the proceedings in connection with a polling of votes under this part and to declare such proceedings void.

Hon. Mr. DAVIS—What is the idea of restricting it to the Superior Courts? A County Court Judge would be able to deal with a question of that kind just as well as a Superior Court Judge.

Hon. Mr. LOUGHEED—Those larger questions affecting Dominion legislation are invariably referred to the Superior Court. I cannot think of any analogous case in which jurisdiction would be given to one of the lesser courts to decide important questions such as would arise in a case of this kind.

The clause was adopted.

Hon. Mr. CHOQUETTE, from the committee, reported the Bill without amendment.

TORONTO HARBOUR COMMISSIONERS' BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (196), An Act respecting The Canadian Pacific Railway Company, The Grand Trunk Railway Company of Canada, and The Toronto Harbour Commissioners.

(In the Committee.)

Hon. Mr. KERR—I suppose all the parties named in this Bill, who are interested, are concurring in this legislation?

Hon. Mr. LOUGHEED—Yes, I understand so.

Hon. Mr. MURPHY, from the committee, reported the Bill with amendments which were concurred in.

INDIAN ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committe of the Whole on Bill (114), An Act to amend the Indian Act.

(In the Committee.)

Hon. Mr. DAVIS—I would like to ask the hon. leader of the House if he has taken into consideration the debate of last night, with relation to the treaty between the Indians of this country and the Government? Does he think it is fair to pass legislation of this kind, in view of the fact that it is opening the door towards steps to abrogate the treaty made with the Indians, though the Indians have not been consulted, and it is not proposed to consult them about this legislation?

Hon. Mr. LOUGHEED—I should like to state to the House that since last night I had the opportunity of speaking to the Minister of the Interior as to this particular clause, and as to the origin or cause of the words to which objection has been taken, and which it is proposed to strike out. The insertion of these words is intended to meet such a case as recently arose in British Columbia and with which my hon. friend may be familiar, namely, the Howe Sound Reservation case. That was a case in which a tribe of Indians owned a reserve some 80 miles in the interior and distant from any of the larger communities mentioned in the Act. It happened that a Railway Company, known as the Pacific and Great Eastern, desired this land for its terminals and the Indians were not only anxious but desirous of selling those lands for the purpose of meeting the wishes of the Railway Company. They were perfectly satisfied with the amount of the purchase money which they were to receive for the lands, but the question arose as to the distribution of the money. Inasmuch as Indians on other reserves in British Columbia demanded that they should receive the purchase money in its entirety, and that they should not be restricted to the provisions of the Indian Act by which one-half of this money would be invested in trust by the Dominion Government for the Indians, they refused to give title to the lands constituting the reserve; they refused to surrender their title, and yet at the same time they were anxious to do so.

Hon. Sir MACKENZIE BOWELL—What did they want to do?

Hon. Mr. LOUGHEED—They wanted all of the money. That resulted in a complicated state of affairs, which involved negotiations between the Provincial Government and this Government, and the railway in question, and so on. The Dominion Government felt, notwithstanding that they were trustees of the Indians, that there was a condition of affairs they could not settle. And yet it was desirable in the public interest, and in the interest of the Indians, that the Indians' title should be surrendered, and the amount accepted. It is to meet conditions of that kind that this language has been imported into the Bill; there is no ulterior object in view; the object in view entirely is the promotion of the public interests, and those interests include the best interests of the Indians themselves.

Hon. Mr. BOSTOCK—Might I suggest to my hon. friend that, in view of the statement that he has just made, we might let this clause stand and see if we cannot draft a clause that would meet that particular case?

Hon. Mr. LOUGHEED—I am quite content.

Hon. Mr. KERR—There is just one thing that seems appropriate that should be said, and said now. I suppose there is no business in this country with which such great care could be taken, as in dealing with Indian lands. There are no people more sensitive than the Indians, with reference to a bargain made with the country, and there is a natural jealousy in the minds of the Indians with reference to any change which has to take place; he is sensitive as to any change in reference to his status, or as to the position of the property which he has agreed to accept in lieu of what he thought was a much greater claim. In dealing with a matter of this kind it is very much open to objection to have a general law; it is very much better that as each case arises, legislation should deal with that particular case. The Indians are not so situated that any emergency will arise in dealing with them whenever a question comes up with reference to the Indians, and the parties are agreed, it would be better to deal with them just as we deal with other corporations who have their properties and

their rights settled by an Act setting out the definite conditions under which this is being done. I do not like a general Act authorizing the dispossession of the Indians in any way or in any form. It will be said, no doubt, that the minister and everybody connected with the Government is anxious to take care of the Indian, but the question is does the Indian think so, and is he likely to think so? History goes to show that the Indian is always suspicious of the official who is dealing with him. I do think that the record of the British Government and of the Canadian Government in their dealings with the Indians, is one of which we may well be proud, and I should be sorry to see anything done that would in any way lead to this record being tarnished. It may be said, 'Oh the Government will control it.' Well, all right, the Government may intend to do so, but the Government has to act through agents, and those agents may be carried off their feet, about what they may be doing in the shape of a bargain. These agents must make a good bargain for the Government, or make a good bargain with a view to some other property. The good faith of the Government ought to be guarded most sacredly in our dealings with the Indians, and we should leave the matter as it is, and not take powers to dispossess the Indians wholesale, or by a general Act; we should make each arrangement when it arises, bringing it here for confirmation, and getting it done in that way. The Indian will thus see that he is a party to the bargain first, and afterwards that it is the Government here which makes the concession, and confers an advantage on him.

Hon. Mr. LOUGHEED—That is really the policy of this Act; that is to say, each individual case has to be dealt with on its own merits, has to be dealt with by the Exchequer Court, has to be reported to Parliament, and Parliament in turn has to pronounce upon that particular case. Parliament is saddled with the responsibility of taking whatever action may be determined upon—not the Government. The Government does not seek to assume the responsibility in any way.

Hon. Mr. KERR—The Government and Parliament stand very much in the same way, so far as the Indian is concerned who looks at them as being both the same; he does not distinguish between the officers of the Government and the Parliament of Canada. The idea of having a power to deal generally with those Indian lands for the purpose of removing the Indians from them, when it becomes convenient to do so, or when someone wants those lands, is very much calculated to create a wrong impression with the Indians; and I may say also that the public generally, would distrust the idea of such legislation. I hope the Government will take that into consideration and leave this sort of general power alone.

Hon. Sir MACKENZIE BOWELL—All that has been said in reference to the sensitive character of the Indians is quite true, as well as all that has been urged on behalf of the Indians as to the necessity of any dealings with them being of the most cautious character. In Ontario and in old Canada no difficulties have arisen in dealing with the Indians, for the simple reason that their lands have never been taken from them, so far as Ontario is concerned, and my knowledge in connection with them, without the consent of the Indians. Circumstances have arisen to show that in order that progress in the extension of villages and small towns may be made, some power must exist in order to secure the consent of the Indians to obtain portions of their reserves. This was absolutely necessary, for instance, in order to secure the extension of the limits of Deseronto, a part of which village was building up on the Mohawk reserve, and it took some time, a year or two, before the consent of the tribe was given in order to enable the Rathbuns, who were taking the greatest interest in the development of that country and in the increase of the village, to establish extensions to their very large industries. But the land that was surrendered by the Mohawk tribe was not surrendered until the consent of the tribe was given; other lands in the western portion of the Province of Ontario were given in lieu of it, together with a monetary consideration. Another instance of how the Government has acted as trustees for this same tribe of Indians might be given here. I am, myself, connected with a company that purchased some six or seven hundred acres of land for lime and cement purposes on that Indian reserve, but not a step was taken to secure that land until the tribe had met and after a great deal of negotiation had consented to surrender it.

It was pointed out to them, as it was a few days ago by the department to myself, when I was asking for some concession that the interest on the money paid for portion of the reserve exceeded the amount of rents they had been receiving. The Indians were shrewd enough to know that it

was to their advantage under the circumstances to make the sale, and in that case there was no difficulty. I also have a recollection of a transaction with the Mississaugi tribe on the Islands of the Bay of Quinte. It was found necessary in the interest of the settlement of that portion of the country which is almost the garden of Ontario, to remove that tribe, and they were removed to Rice lake. They were given possession of equally valuable property, as good land as they had held on the Bay of Quinte, and they are there yet. In every case in which the Government has dealt with the Indians they first obtained the consent of the tribe after a great deal of negotiation. In no single instance has the money received from the sale of those lands been handed over to the Indians to squander. The Government is a trustee for these children of the country and invests the money, as the old provincial Government of Canada did, for the benefit of the Indian. If some wording of the clause can be adopted as has been suggested by the hon. leader of the opposition, which will guard the interests of the Indians in that respect, to my mind, no difficulty will arise. Everyone who understands the character of the Indian and is familiar with the troubles that have occurred between the United States Government and their Indian tribes will see at once the absolute necessity of taking every possible precaution to deal fairly with the Indian tribes. They are very shrewd and are as well qualified to look after their own interests as white men, and if you can show them that it is to their interests to exchange their reserve for other portions of the country where they can have better fishing and hunting facilities they will do so. That applies more to the less educated and civilized portions of the Indians than to the tribes in the older provinces of Canada; hence the greater necessity for maintaining the strictest integrity when dealing with this class of people. It was my good fortune to attend the centennial exposition at Philadelphia at a time when there was a Presidential election going on, and the discussion between the Republicans and the Democrats turned on the treatment of the Indian tribes by the United States, which caused so many wars and the expenditure of millions of money and great loss of life. I was staying in a room where the question was under discussion and one of them turned to me and said, 'You are a Canadian?' I said 'Yes.' Then I was asked, 'How is it that you in Canada in dealing with the Indian tribes have never had a war with them, while we in the United States are in constant conflict with our Indians?' I said, 'Gentlemen, to my mind the explanation is very clear. Whenever we make a treaty with an Indian tribe in any part of Canada it is made in the name of the Great Mother, the Queen, and under no consideration will the Government be induced to violate any part of that treaty, and consequently we have no trouble with the Indians. All you have to say to them is you have promised so-and-so to the Great Mother, and they keep their agreement faithfully as the people of Canada keep their agreement with the tribe. You in the United States make a treaty with the Indians and as soon as the white people want to encroach on their territory you drive them off without any consideration whatever, and the result is conflict.' Now we do not want anything of that kind in this country, and I am quite sure that the Government will take every precaution to prevent anything like the troubles in the United States to which I have called attention. Whatever bargain we make with the Indians, no matter how much it may interfere with what the white man thinks he should have, the Government will not permit the Indians' property to be interfered with unless the Indians themselves consent after full negotiation. Those are the conclusions to which I have come, having had some little dealing with the Indian tribes. Let them know at once that any transaction you propose is to their interest and advantage and the Government with any common sense will find no difficulty in dealing with them.

Hon. Mr. DAVIS—I am quite in line with the address of my hon. friend, because it is in the line of what I propose. We should not break faith with the Indians, but unfortunately my hon. friend must remember that if this Bill is put on the statute-book it is a very broad Act, and opens the door to all kinds of agitation among the people who wish to acquire the lands of the Indians. Unfortunately the Indian has no vote, while the gentleman who tried to get possession of his land has a vote.

Hon. Sir MACKENZIE BOWELL—We gave them a vote, and you took it from them.

Hon. Mr. DAVIS—If the Indians collectively were to approve of the legislation, or if they had an opportunity to express an opinion on it, it would be different. We are putting a broad statute on the book

which provides that the Government can turn a band of Indians off the reservation and sell the property. It is true you put it to the court, but what does the judge of the Exchequer Court know of the Indian question in the West. I would rather trust to the officials of the West; I am satisfied there is not an official of the Government in Ottawa who will sanction the placing of legislation of this kind on the statute-book. If in a case of public utilities you wish to get terminals, a special Act would be introduced dealing with that case, and not make a general Act. Then again if an Indian was properly approached, I do not think there would be any difficulty in getting him to surrender a portion of his land. We have a case in point on the Canadian Northern railway near Winnipeg. There was a reserve there, and they had no trouble in getting a portion of that reserve, and the Indians were satisfied. At Battleford we got a surrender of two reserves. My hon. friend says that the Indian has a good deal of cunning, but he will require a good deal more cunning if he is to hold his own against the people who wish to dispossess him. At Battleford he did exercise good judgment in dealing with this matter. The Indians there found they were short of hay, and wanted to find some place where they could get hay for their stock. They negotiated with the Government and the Government took over this land, but the Government had to give the Indians such lands as they wanted. Indians went and selected the new reserve; they did not leave it to the judge of the Exchequer Court, as my hon. friend from Montreal suggests. They selected their own reserve where they had water and hay, and they made the Government pay for the reserve, or give it to them and pay for the transportation of the band, and give them a bonus of $25,000. The Government did that at the request of the settlers, who wished to have that country developed. That was five or six years ago, and what development has taken place? Where there were two Indian reserves cultivated with any amount of cattle, houses, etc., what have we to-day? We have nothing growing but weed and brush. The Indian has gone and the land has got into the hands of speculators, and they do not develop it. They hold it in the hope that somebody else will develop it, so that they can make money out of it. This Bill will open the door to all kinds of agitation, for we know in this country politics enter into a great many things. Take the Blood Reserve in Southern Alberta; there are somewhere about 300,000 acres of land held by the Blood Indians. All the surrounding country is settled by people from the United States; we find a town on each corner of the reserve, which will bring it under this Act, if this Bill goes through. We eliminate the provision for 8,000 population under the old Act, and do not ask for any population limit in this. There are 10,000 people who have their eyes on that Indian reserve, and four or five thousand of them have votes. What chance will the poor Indian, who has no vote, have, if a petition is got up by 5,000 voters who want to dispossess him; they will always find a reason—the development of the country. The fact still remains that we made a treaty with these people, and in that treaty we agreed to do certain things for them, such as to give them so much money a year for schools, and a tract of land, which they selected themselves, which was to be surveyed and held for them for all time to come. We have carried that out, and there has been no agitation up to the present time to dispossess the Indian. Now we find this legislation coming down, and they are going to put it on the statute-book, but I want to say to the Government that they are opening the door for all kinds of trouble for themselves. That law will not be on the statute-book a month until there will be an agitation all over the West by settlers and people close to the reserve, to get the Indians dispossessed and put them away to the north, out of civilization. The Government may stand against the agitation for a while, but I venture to say no Government can stand against a proposition of that kind. Supposing ten thousand people sign a petition to have the Blood reserve opened up, there would be pressure on the Government compelling them to assent to pressure of that kind. The best thing for us to do is to keep faith with the Indians. Eliminate clause 6 and let us go on as we have before. If the hon. gentleman finds there is a special occasion, such as he mentions in British Columbia, where for public utility he wants to take a piece of land, do all you can to agree with him, and if you can not agree, you can pass a special Act to take two or three or four or five hundred acres at a good figure, and give the money to the Indians. That would not be so bad; it would not be taking the Indian from the home of his father, driving him from the surroundings where he has lived since childhood. But if you go to work and open the door passing this

Hon. Mr. DAVIS.

legislation, the Government is going to have all kinds of trouble, and there is no use clothing the fact in nice language by stating that these changes shall be submitted to the Exchequer Court. The Indians own the land and there is no right to dispossess them unless they agree to it. As I said before the Indian is no fool. They select the best men in the council for chiefs. The Indians are men of good reasoning ability. I have met a good many of them, and have had dealings with them, and they will average up with a white man. They will take weeks and weeks to think over a thing of that kind before they will come to a conclusion. I say there should be no legislation put on the statute-book to interfere with the rights of the Indian to deal with his own property, and have a voice with the disposition of the property.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman knows the difficulty that has existed in British Columbia. Ever since Confederation the tribe owned a very large property in and near the city of Victoria, and a portion of the tribe owned some land near Point Grey in Vancouver. These were valuable portions of the two cities, although before the growth of either of those cities the land was of little value. There have been negotiations ever since Confederation, to get possession of their property, in order to enable the city to make the necessary extension, and provide homes for increased population. I remember very well during the time I had the honour of being in the Government that we were in constant negotiation with them; but the Government of that day took precious good care not to interfere with the rights of a single foot of that land, until they got the consent of the Indians to do so. It was absolutely necessary to keep on with continued negotiations, and to pay the Indians liberally; it was necessary to do so in order to enable those cities to extend their limits. It may be said that at the present moment, or when those lands were obtained by the Government throughout the Dominion, a settlement took place. The Indians were living in huts, and to a very great extent not in very reputable portions of the city, while complaint was made that the Indians did not get sufficient for their land—some of the speculators who wanted to get it themselves made that complaint—it was infinitely better for the Indians to be removed to another portion of British Columbia and get fair remuneration for the property that they held, and I have no doubt that the suggestion made by the leader of the Opposition, and on consultation with the Government and those who are trustees for these Indians, that the clause can be so worded as to prevent the possibility of speculators taking advantage of these people—I will not say innocent people because they are just as shrewd as the hon. gentleman who championed their cause. I have no doubt the clause can be so worded as to meet the objection. For my own part I would not like to see the power placed in the hands of any Government to take from the Indians forcibly, without proper remuneration, and without their consent, the lands that have been given to them.

Hon. Mr. LOUGHEED—We can let that clause stand for the present.

The clause was allowed to stand.

On clause 9.

Hon. Mr. BOSTOCK—Should that clause not apply to British Columbia?

Hon. Mr. LOUGHEED—Yes, we will insert British Columbia in the clause. It was an omission.

Hon. Mr. WATSON—Why should the Indian not be allowed to dance?

Hon. Mr. LOUGHEED—This provision is in regard to dancing outside their reserve.

Hon. Mr. WATSON—They may visit other reserves.

Hon. Mr. LOUGHEED—As my hon. friend knows, those engaged in getting up such attractive exhibitions as at times take place in the West, stampedes and other kinds of entertainments, induce the Indians to leave their reserve to go into the cities, and participate in dances. These dances may not be demoralizing themselves, but owing to the environment and surrounding circumstances the Indians suffer very greatly therefrom. They become disquieted and disturbed, and the opinion—I will not say of all the officials, but of many of the leading officials charged with looking after the Indians—is along the line that this dancing should be prohibited outside their reserves.

Hon. Mr. WATSON—Supposing the Indian dances on some other reserve?

Hon. Mr. LOUGHEED—The Indian would not be punished.

Hon. Mr. DAVIS—He has to have the consent of the Superintendent of Indian Affairs?

Hon. Mr. LOUGHEED—He can participate in any of the shows with the consent of the Superintendent in General.

The clause was adopted.

On clause 49 A:

Hon. Mr. KERR—It is an extremely inadvisable thing to introduce any of our courts into negotiations.

Hon. Mr. LOUGHEED—We have allowed that clause to stand.

Hon. Mr. KERR—It is a very inadvisable thing. An Indian who may become very much dissatisfied with a judgment against his band, might create an impression throughout the whole of his reserve, of distrust in the court.

Hon. Mr. Bolduc from the committee reported that they had made some progress with the Bill and asked leave to sit again to-morrow.

DOMINION LANDS ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (136), An Act to amend the Dominion Lands Act.

(In the Committee.)

On clause 1.

Lands mentioned and described in sections 35 and 36 of this Act, or which are withdrawn from the operation of this Act, or that have been disposed of, shall not be open to entry or available for a homestead, for a purchased homestead or pre-emption, but other surveyed lands which are suitable for agriculture and are unoccupied shall be open for entry.

Hon. Mr. DAVIS—What is the explanation of this?

Hon. Mr. LOUGHEED—The amendment appears to be necessary in order to remove doubt as to the class of lands which may be acquired under entry. With this end in view special reference is made in the amended section to the lands referred to in sections 35 and 36 of the Act which may be specially valuable on account of the water powers which they may control, or lands acquired for water supply, or for the purpose of a harbour landing, bridge site, terminus, or station, or for a townsite. Such lands are not granted under the Homestead Entry, but it is deemed advisable that they should be absolutely excluded from entry by a statutory provision.

Hon. Mr. BOSTOCK—I understand that this Land Act does not apply to the Railway Belt in British Columbia, unless special regulations are made about it.

Hon. Mr. LOUGHEED—That is the way I understand it.

Hon. Mr. BOSTOCK—That clause would be a valuable one to have enacted in British Columbia.

Hon. Mr. WATSON—What lands are referred to in the fourth line 'or that have been disposed of'?

Hon. Mr. LOUGHEED—Lands may have been disposed of and have again reverted to the department, as is very frequently the case. 'Other lands', are lands originally withdrawn from the operations of the Act.

Hon. Mr. DAVIS—Then the intention is, when lands revert to the Crown, that they shall not be open to entry.

Hon. Mr. LOUGHEED—No, such lands will not be open to entry or available for homesteads.

Hon. Mr. DAVIS—Why?

Hon. Mr. LOUGHEED—They are a special class of lands mentioned in sections 35 and 36 of the Dominion Lands Act, lands which should be reserved for special purposes, and which may be of more value to the public generally than to a private individual. It is not desirable that they should be subject to entry, and that one entrant should be able to monopolize that particular class of lands to the exclusion of all other settlers.

Hon. Mr. DAVIS—I do not see why an entry should not be allowed on lands which have been sold, and which have reverted to the Crown.

Hon. Mr. LOUGHEED—Because the Government may have been instrumental in having those lands revert to the Crown for special purposes.

Hon. Mr. DAVIS—I can understand that the hon. gentleman's statement would apply to the classes of lands mentioned in sections 35 and 36 of the Dominion Lands Act, but if there are any other lands not included in the classes mentioned in those sections, I do not see why they should not be open for homestead entry.

Hon. Mr. LOUGHEED—There is enough land open for homestead entry.

Hon. Mr. BOSTOCK—Can my hon. friend tell me anything about those British Columbia regulations which deal with this question?

Hon. Mr. LOUGHEED—The railway belt does not come under this Act.

Hon. Mr. BOSTOCK—Is there any intention of making regulations along this line?

Hon. Mr. LOUGHEED—I cannot say. That will be a matter for negotiations.

The clause was adopted.

On sub-clause 2—proviso as to residence of entrant.

Hon. Mr. DAVIS—We might have some explanation about that.

Hon. Mr. LOUGHEED—There is a provision in the Act which allows a person holding a homestead entry to earn patent therefor by residing in the vicinity, either on a farm of his own or with a relative. A settler who takes a homestead and pre-emption is required by section 27 of the present Act to earn his pre-emption by residing on his homestead or on his pre-emption for six months in each of six years. This means that if he earns his homestead by living in the vicinity for three years, then he would have to go on the homestead or the pre-emption and stay there six months in each year of six years longer to get his pre-emption patent, making nine years in all to earn two quarter-sections. This would seem to be too long a period, and there does not appear to be any reason why the entrant who secures his homestead patent by performing the required residence in the vicinity, should not get his pre-emption patent by putting in three years more on the homestead or on the pre-emption. At one time it was thought that the holder of a homestead and pre-emption could not take advantage of section 18 of the present Act, which allows a homesteader to do his duties by living in the vicinity, but upon legal advice being taken it was found that there is no provision in the law which prevents a settler from earning his homestead patent by vicinity residence, although he may also hold a pre-emption.

This facilitates the performance of the settlement duties to a greater extent than under the old law.

Hon. Mr. DAVIS—I see this is the provision:

2. Subsection 1 of section 27 of the said Act is hereby amended by inserting immediately after the word 'pre-emption,' at the end of the thirty-second line thereof, the following proviso:

Provided that in any case where the residence in connection with his homestead of an entrant for a pre-emption has not been upon his homestead but has been upon other lands, namely, upon a farm of the area and owned and occupied as provided in section 18 of the said Act, the residence of such entrant, in connection with his pre-emption during three years only of the six years specified in paragraph (b) of this subsection, shall be in a habitable house, either upon the homestead or the pre-emption, but not elsewhere.

Now, that is pretty broad—'a habitable house.' All kinds of houses are habitable houses; and in one case a homestead inspector might come to a settler who had a little house about 8 by 6, and say it was a habitable house; again he might go to another fellow and require a house that would cost a thousand dollars. There should be some provision to show the value of the house.

Hon. Mr. CASGRAIN—In the province of Quebec that is provided for by regulations calling for a house of so many feet by so many feet; a house will not count unless it is 20 by 20 or something in that way.

Hon. Mr. LOUGHEED—You could scarcely describe a house.

Hon. Mr. DAVIS—There should be some value on a house. While we have homestead inspectors whom we hope are all right, you are putting a great deal of power in their hands; one of those men might go to a party who did not fry ham and eggs for him, and report that the house was not proper.

Hon. Mr. LOUGHEED—The same thing might happen if you put a value on a house.

Hon. Mr. DAVIS—If there is a dispute about the value of a house there should be some way of calling in neighbours as to value. I do not believe in putting settlers at the mercy of any body of homestead inspectors, for while those men, as a rule, may be all right, in some cases they may be all wrong. Settlers should be protected.

Hon. Mr. CASGRAIN—What is the objection to putting a certain size of house?

Hon. Mr. LOUGHEED—Why should a man be compelled to build a house of a certain size.

Hon. Mr. CASGRAIN—That is the way it is in Quebec, and Ontario, and in other places; in dealing with settlers the House has to be of a certain size.

Hon. Mr. WATSON—Some years ago the Land Act required a house of certain size, and also a valuation of house and stable.

Hon. Mr. BOLDUC—When I was in the West, many years ago, I saw many sod houses; they were large enough, and they looked as though they were very comfortable. I do not see any difficulty, provided that the farmer finds that his house is sufficient for himself. There is no reason to impose a condition that a house should be of certain dimensions, if the farmer is satisfied with his lodging.

Hon. Mr. WATSON—I do not think the Government should be too severe on a homesteader in describing his house, but there are a great many people in the West who are trying to claim homesteads for settlement duties, when there are practically no settlement duties done at all. They might put up a shack worth $10.

Hon. Mr. LOUGHEED—But if they are living in it, it is a habitable house.

Hon. Mr. WATSON—Yes, but it is not a habitable house, in the sense that a man ought to be able to get a patent on his land, if he is living in it. Of course, the object of the whole system in giving a homestead is to make sure that there is going to be a settler on the land. I notice all through this Act that the Government contemplate giving a man his patent on three years' residence. Now a man has to be a British subject before he can receive a patent for his land, and we have a Bill coming along from the other House which requires five years to become a naturalized British subject. What will be the effect of that? Will a man not get his patent for his land for five years?

Hon. Mr. LOUGHEED—He will get it in three years. If the clause is adopted requiring five years for naturalization, we will, in all probability, amend the Land Act, providing that a residence of three years, as now provided by the Dominion Lands Act, shall be sufficient to earn a man his patent provided he makes a declaration as to his intention of becoming naturalized.

Hon. Mr. WATSON—You provide that in that Naturalization Act, do you?

Hon. Mr. LOUGHEED—No, we may provide that in the Land Act; concurrently with the passing of the Naturalization Act we shall bring in an amendment to the Land Act accordingly, or we shall make provision for it in the Naturalization Act. However, the matter has been under consideration and will be duly met.

Hon. Mr. CASGRAIN.

Clause 2 was adopted.

On clause 3.

Hon. Mr. DAVIS—We want an explanation of that.

Hon. Mr. LOUGHEED—I would say that. As the law stands at present, a person who holds a pre-emption entry is not permitted to pay any portion of the purchase price therefor until the expiration of three years from the date of his entry receipt. Nevertheless, he is compelled to pay interest upon the principal during the time that it is not receivable by the department. This would appear to be unfair. The object of the proposed amendment is to relieve the entrant from paying interest during the three years following the date of his entry.

Hon. Mr. DAVIS—That is, if he pays up his pre-emption in full, he does not have to pay any interest?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. DAVIS—That would be right enough, I think.

Hon. Mr. WATSON—But you provide here also that a man who has paid his interest and a portion of the principal, was not allowed any credit for it.

Hon. Mr. LOUGHEED—No, those who have paid.

Hon. Mr. WATSON—Look at subclause 3 of clause 3 where it says:

> Persons who have paid both interest and principal in full shall not be entitled to receive a refund of the amount paid on account of interest or any portion thereof.

Hon. Mr. LOUGHEED—No, because that is practically a closed transaction, and I might say that what lead to the adoption of this was the representation that was made as to the semi-sterility of the land or the greater portion of the land which was thrown open for pre-emption entry some years ago. Thus it requires a greater area of land upon which a settler is able to make a living.

Hon. Mr. WATSON—That is the purchase of the pre-emption you are referring to now?

Hon. Mr. LOUGHEED—Yes, upon those pre-emptions that the Government, knowing the hardships that have prevailed up to the present time in cultivating those lands, are prepared to dispense with the interest.

Hon. Mr. WATSON—That will penalize the man who has paid.

Clause 3 was adopted.

On clause 5, sub-clause 3:

Hon. Mr. DAVIS—What is the meaning of that?

Hon. Mr. LOUGHEED—Cases frequently arise where persons holding entries for homesteads, purchased homesteads or pre-emptions are approached by railway companies with a view to obtaining from such settlers an assignment of such portion of their lands as may be required for right of way or station ground purposes. Lands for this purpose cannot be reserved for a railway company after the granting of the entry, and, as it is important that railway companies should be able to secure their right of way through homestead lands, it is provided in the proposed amendment that such assignments may be made without rendering the entries liable to forfeiture.

Hon. Mr. DAVIS—Under the old Act, if a homesteader gave an assignment or transfer of any of his homestead before the patent was issued, he was subject to have the whole thing cancelled.

Hon. Mr. LOUGHEED—Yes, he forfeited his homestead. Now an entrant can enter into an arrangement to assign to a railway company the right of way, which they may expropriate or acquire by purchase or treaty.

Hon. Mr. CASGRAIN—Who gets the money? The settler?

Hon. Mr. LOUGHEED—Yes.

Clause 5 was adopted.

On clause 8:

Hon. Mr. DAVIS—What is the amendment involved in this clause?

Hon. Mr. LOUGHEED—The amendment is that under the regulations now in force for the administration of mineral lands, with the exception of quartz lands, provision is made for the disposal of the mineral rights by lease, the title to the land remaining vested in the Crown. Section 37, as at present, provides that such lands may be either sold or leased. The object of the proposed amendment is to take away from the Governor in Council the power of selling this class of lands. While it is true that the quartz mining regulations provide, at the present time, for the sale of the surface rights in connection with mining claims, there does not appear to be any reason why such class of lands should not only be leased as in the case of other mineral lands.

Clause 8 was adopted.

On clause 10:

Hon. Mr. LOUGHEED—Where it is found necessary to take advantage of the provision contained in subsection 2 of section 39 of the Act in the case of the exchange of school lands, the law requires that the Dominion lands and the school lands to be exchanged should be of the same area and of the same value. Cases arise where the school lands to be given up are of considerable value so that it is almost impossible to find in the same district where they are situated parcels of Dominion lands of the same area that have the same value. In cases of that kind it is considered that Dominion lands of a large area may be granted in exchange provided the value is the same in both cases.

Clause 10 was adopted.

On clause 11:

Hon. Mr. DAVIS—I should like an explanation as to the leasing of school lands.

Hon. Mr. LOUGHEED—There is no provision in the Act at present for the leasing of school lands for any purpose whatever, although regulations have been passed from time to time for the issue of leases for the cutting of timber or hay, or the granting of mineral rights on school lands. It is considered advisable that there should be a statutory provision to that effect, because it is largely in the interests of the School Endowment Fund that every possible revenue should be derived from these lands until such times as they are finally disposed of by sale at public auction as provided under the Act.

Hon. Mr. WATSON—A much better provision would be made in this Act providing for the disposing of those leases by public tender or competition in some shape or form. Under this provision the school fund may not get what the leases are worth.

Hon. Mr. LOUGHEED—That is when leased?

Hon. Mr. WATSON—Yes.

Hon. Mr. LOUGHEED—I would point out to my hon. friend that the Government, during the present session of Parliament, has passed very comprehensive regulations as to the leasing of Dominion lands within prescribed areas on a certain basis, and subject to certain terms. Now it is possible for an applicant to secure a lease up to 10,000 acres at two cents an acre per annum, subject to placing a certain amount of stock and fencing on whatever the area may be. Consequently it would not do to draw invidious distinction between school lands that may be leased, and other Dominion lands that may be leased also. The terms are fixed, they are known to the public, and any applicant has a right to secure one of those leases provided that the lands have not been leased to others.

Hon. Mr. WATSON—That case would not compare with this case at all. The lands referred to under that regulation will be in unsettled districts where large areas of wild land may be required for ranching purposes. The school lands are in the settled communities, and would be worth much more than two cents an acre. A man would be very favoured if he acquired a leasehold of a quarter-section or a section of school lands adjoining his farm for two cents an acre. I think that they should be put up for co npetition.

Hon. Mr. DAVIS—I quite agree with my hon. friend from Portage la Prairie. In the settled parts of the country where land has become valuable, when any person applies to lease a piece of land, it should be put up for public competition and the largest amount possible should be got out of it for the school fund. I know of sections where school lands, quite close to a village, are very valuable. If the Government lets them out for a couple of cents an acre the lessees can make all kinds of money by pasturing cattle around the town. I know of such a case in a little village called Waca where I have a summer cottage. If those lands were put up for public competition, they would bring fifty cents, or a dollar an acre.

Hon. Mr. LOUGHEED—I do not see how that can be done. The policy of the Government during the past and for many, many years has been to lease school lands for a period of no longer, I think, than two years. All those leases are cancellable upon a year's notice, or at least two years' notice. Now, as my hon. friend knows, the Government may at any time put those lands up for sale; that is to say, it would not be consistent with the policy which has been pursued for years past—to tie up the school lands by a lease for a period of years. They must be open for sale. As we very well know, conditions have arisen which have made it possible for the Government to sell those lands, and the greatest freedom should be permitted in the administration of school lands. They are on a footing entirely different from other Dominion lands. I do not see that any good results would be obtained along the lines mentioned by my hon. friend. My recollection is that all the timber and hay, and whatever else may be found upon those school lands, have very frequently been secured by tender. I have known cases where that has been done, but I do not think any hard and fast policy can be pursued along that line.

Hon. Mr. WATSON: There would be no trouble in having competition, because the hon. gentleman knows very well of school lands that were sold at $5 an acre; it would be ridiculous to suppose that at that rate such land should be leased at only two cents an acre. If you applied the principle of competition, either by advertising or tendering or by public auction, I am satisfied the result would be much more satisfactory to the community in which those lands are situated. I would like to ask the hon. gentlemen if any of those lands can be cultivated, or are they simply fit for grazing?

Hon. Mr. LOUGHEED—This power which would seem to be placed in the statutes does not preclude the Government from carrying out the suggestions made by my hon. friend. It only gives to the Government a statutory right to deal with those lands. Up to the present time there was no statutory right in the Dominion Lands Act to deal with school lands in this way; consequently a system might be adopted by regulation under the statutory right which is now given. That is all that this clause proposes to do.

Hon. Mr. WATSON—You have a statutory right to dispose of timber, but timber has to be disposed of by public competition. Can these lands be cultivated by leasing simply for grazing purposes?

Hon. Mr. LOUGHEED—Only grazing, so far as I know. I am not aware of any

school lands having been leased for that purpose.

Hon. Mr. DAVIS—A great deal of land that is leased as grazing land is really hay land, which, if put up to public competition would bring a dollar an acre instead of two cents.

Hon. Mr. LOUGHEED—There is nothing to prevent the Government pursuing that course. They are not limited in dealing with these lands in any shape or form, but are taking statutory power to lease them. It does not restrict the Government as to the policy they should pursue.

Hon. Mr. WATSON—My complaint is that it is not statutory.. The lands should be leased by public competition.

The clause was adopted.

On clause 13:

13. Section 98 of the said Act is amended by inserting the words 'or by the minister' between the words 'Council' and 'to' in the eighth line thereof.

Hon. Mr. DAVIS—What is the explanation of this clause?

Hon. Mr. LOUGHEED—Many cases arise in connection with the general administration of the work of the department where it is important that certain officers should be authorized promptly to take oaths, and it is considered that the Minister of the Interior should be vested with power to issue the necessary authority in cases of that kind. The proposed amendment has been prepared with that end in view.

The clause was adopted.

On clause 14—stock in lieu of cultivation in case of certain quarter-section.

Hon. Mr. DAVIS—This is a long section, and my hon. friends might give us a synopsis of it to show the changes that are made in the Act.

Hon. Mr. LOUGHEED—There has been a steady increase within the last few years in the number of demands that have reached the department on the part of settlers located on free homestead lands in the western provinces for the privilege of substituting stock for cultivation where the homestead does not contain arable land to the extent required to earn patent under The Dominion Lands Act. The fact has been established beyond doubt that in certain parts of the country where the land is well suited for mixed farming, it is almost impossible for a settler to cultivate the area required under the regulations, whereas if some encouragement were given to stock raising, the land could be made productive and thus ensure a living-profit to the homesteader. In the amendment contained in this section it is proposed to permit the substitution of stock for cultivation in the case of land held under homestead, pre-emption or purchased homestead entry. The provision has been prepared with every precaution so that the settler may be given every facility for earning title to his land in this manner, and at the same time, so that he may show substantial returns for his work done upon the land in lieu of cultivation before he becomes entitled to his patent. In the case of pre-emptions, the intention is that the same concession should be granted, that is to say, that upon proof being submitted that the entrant has held his pre-emption for a period of six years and has stock thereon to the number of twenty-four head of cattle at the end of his sixth year, he may be granted patent therefor, without being required to perform the cultivation called for by the Act, or should he prefer, he may earn title to such pre-emption by submitting proof when applying for patent for his homestead that he has twenty-four head of cattle on either his homestead or pre-emption and paying for the latter in full.

Hon. Mr. DAVIS—The beginning of the clause calls for a report by the homestead inspector. The report should be accompanied by affidavit of two neighbours in the vicinity of the homestead, and by the owner. I cannot understand why we should put so much power in the hands of the homestead inspector. He can by report, say that a man need not plough, or on the other hand he might report that the man should not be allowed to keep cattle. No one is held responsible in this case but the homestead inspector.

Hon. Mr. LOUGHEED—The provision of the Act as to compliance with the settlement conditions will still be in operation. That I understand is surrounded by every safeguard. There is no change in the law in that regard. The Dominion Land Act has been in operation for thirty or forty years in those western provinces, and I do not think that it has been subjected to any very great abuses. If it has, it certainly has not, within the last couple of years, been accentuated, so far as I know. We have to rely upon Dominion officials to properly administer the Act. I quite

grant the statement very frequently made, that officials are but human and fallible We cannot in every case have them carry out the law to the strict letter, but we have to entirely depend upon human effort in every channel of life for the performance of whatever duty may be assigned to officials. I cannot see why we should draw an invidious distinction between the inspector in this case and other officials.

Hon. Mr. DAVIS—To my mind it would be better to eliminate this altogether and say that any man who can prove by his neighbour that hs has complied with the condition of the Act should get his title. I do not see the advantage of forcing a man to break land, if it is not to the advantage of himself or anyone else that it should be broken. A man may go into the interior where he has no market, yet the law requires him to break so many acres of land, when there is absolutely no use in having him break it, except to fulfil the conditions of settlement. He breaks the land, and the homestead inspector comes along; he proves up and gets his title.

Hon. Mr. LOUGHEED—But the applicant for a patent must make the declaration that he has always done. If my hon. friend will look at section 14 between lines 35 and 45 he will find the enactment there practically the same as in the existing Act, where he would have to make a declaration as to his cultivation duties. The only difference is now that he shall make a declaration as to his having the necessary number of stock upon his homestead entry. That will also have to be reported by the homestead inspector.

Hon. Mr. DAVIS—If he is in a position that it is not profitable for him to break up land, and it is more profitable to keep cattle, there is just as much profit to the community if he raises cattle; why should he not do so? Let it be optional with him. Why restrict him in this way?

Hon. Mr. LOUGHEED—This is a departure and if it works out satisfactorily we might extend it as intimated by my hon. friend, but we will try this provision as it stands.

The clause was adopted.

Hon. Mr. LEGRIS, from the committee, reported the Bill with amendments, which were concurred in.

Hon. Mr. LOUGHEED.

FOREST RESERVE AND PARK ACT AMENDMENT BILL.

REPORTTD FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (137) An Act to amend Forest Reserve and Parks Act.

(In the Committee).

Hon. Mr. LOUGHEED—This Bill increases the forest reserve in Saskatchewan from 1,801 square miles to 7,910 square miles. In Alberta there is no alteration whatever. In British Columbia there are added 1·15 square miles, and eliminated 1·75 square miles.

Hon. Mr. BOSTOCK— What reserves are the alteration made in?

Hon. Mr. LOUGHEED—One and one-fifth square miles have been eliminated from the Long Lake Point reserve, and 1·75 square miles are added to the Lodge Hills reserve. In Manitoba, the Bill cuts off 76 miles from the northwest corner of the Riding Mountain reserve. The reason is that the reserve cuts into Bolton, and the municipal council petitioned the Government that they wanted this land for municipal purposes. The municipal authorities were desirous of having it in the municipality.

Hon. Mr. WATSON—I have a knowledge of the Riding Mountain reserve and it is rather a mistake on the part of the Government to listen to the people who ask to have those timber reserves reduced, and thrown open for agricultural purposes. It is very important to maintain those forest reserves. If the Government should listen to the people who would want to encroach on the Riding Mountain reserve, it would all be thrown open for settlement. It is nearly all good soil; that is one thing the late Government were very jealous in protecting and resisting the pressure brought to bear on them by the municipalities and different communities by encroaching on the forest reserve, because it has to do with the rainfall and the supply of moisture. The Conservation Commission we have today in Canada is doing great and good work in inducing the Government to increase this timber reserve, and it is a mistake to reduce the area of the Riding Mountain reserve, even at the solicitation of the people of the municipality of Bolton. It has all grown up with young timber, and would in a very few years be quite well timbered. I have no doubt at all if the Government is going to adopt the policy of listening to repre-

sentations made by municipalities, there will be further encroachment, because the very fact that you take off a range of townships on the west side of the reserve, means that in a very short time fires will be oozing into the bush and application will be made for further reduction. The late minister when he passed an Act setting forth the bounds of the forest reserve that could not be interfered with, without an Act of Parliament, adopted the proper policy. I rather regret that the Government have seen fit to make any encroachment on any of those reserves, especially the Riding Mountain reserve.

Hon. Mr. LOUGHEED—Well, it has been done at the instance of the municipality.

Hon. Mr. WATSON—You will find the settlers in the municipality urged on the late minister for years to do as has now been done, but the late Minister of the Interior (Mr. Oliver) fixed the bounds by statute so that he could not interfere with them without an Act of Parliament. That was done for the purpose of being able to resist the pressure in maintaining those reserves.

Hon. Mr. DAVIS—Could my hon. friend tell me in what way they have selected the next reserves in Saskatchewan? I have been looking at the map, and I see the reserves marked X.

Hon. Mr. LOUGHEED—They have been selected by the officers of the department as being unsuitable for agricultural purposes, and they have been set aside for forestration and reforestration.

Hon. Mr. DAVIS—I see one here at Dundurn. I do not know whether the hon. gentleman has ever been in that part of the country, but I do not think there is much timber around there. There is a tract of sand field, with a little scrub on it. Is it the intention of the Government to plant it with trees? That tract has been there ever since I went to the country 35 years ago, and the scrub on it is not any bigger than it was 35 years ago. If the Government intend to grow timber, they had better take some steps to plant timber on it. I do not think there is any timber that will ever amount to anything on it. Could the hon. gentleman give me any information as to this Big River reserve? All the timber in that neighbourhood, and all along in that country, belongs to Mackenzie, Mann and Company. How did the Government acquire that timber? Did they buy it from Mackenzie and Mann?

Hon. Mr. LOUGHEED—I am not aware of that.

Hon. Mr. DAVIS—Most of the timber in that north country belongs to Mackenzie and Mann. They have 500 square miles, not all in one block, but selected where there is any timber—taken out here and there all over.

Hon. Mr. LOUGHEED—They did not get it in the last three years.

Hon. Mr. DAVIS—They bought it from a Mr. Cowan. They have a big river lumber company which is owned and controlled by Mackenzie and Mann, and all the timber in that country belongs to them.

Hon. Mr. KERR—I suppose it will be included in the mortgage?

Hon. Mr. DAVIS—I do not know about that.

Hon. Mr. LOUGHEED—That should not preclude the Government from setting aside forest reserves. I have no doubt that in certain sections of the Rocky mountains, where there are very large forest reserves—in fact, skirting the whole eastern slope of the Rockies—there must be a very considerable amount of timber under lease. It is all the better for the interests of the country and for the interests of the owners of the timber that it should be preserved, as will be done under the regulations governing the forest reserve.

Hon. Mr. WATSON—Does the Government compensate people who have timber limits when they declare a portion of the timber limits in the forest reserve?

Hon. Mr. LOUGHEED—No, I cannot speak as to this particular reserve, but I understand there have been cases where the Government has negotiated for the exchange of lands that have been under lease, for the purpose of excluding, as far as possible, the existence of leases within the boundaries of the forest reserve.

Hon. Mr. WATSON—I can quite appreciate that any person with a timber limit would be only too glad to have it included in a forest reserve, because the Government spend large sums of money in their forest ranges keeping the fires out. If a timber limit is included in a forest reserve, the holder of the timber limit would be relieved of the necessity of paying out money to protect his timber.

Hon. Mr. Taylor, from the Committee, reported the Bill, with amendments, which were concurred in.

CANADA SHIPPING ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (168), An Act to amend part VI of the Canada Shipping Act.

Hon. Mr. CHOQUETTE—I wish to move the amendment of which I gave notice the other day. I would add to this Bill the following as clause 4:

No person, unless he can speak and write both official languages of this country shall in the province of Quebec, after the 1st January, 1915, be appointed or shall act as Wreck Commissioner to investigate maritime accidents or act as superintendent of the pilots.

Hon. Mr. CHOQUETTE—Perhaps it would be as well to let the amendment stand, until the Bill goes to a Committee of the Whole. It can go into committee at once; I have no objection to waiting for the committee stage; but I would rather proceed to-night if there is going to be any postponement, because I might be absent from the House when the measure comes up again. It is only fair that in the province of Quebec the parties to be appointed as Wreck Commissioners should understand both languages. Generally it is the pilots who are accused in case of accidents happening on the St. Lawrence. It must be remembered that there are no English speaking pilots, they are all French speaking. They are intelligent enough, and they are required by the law to understand both languages, but when a man is on trial it is only fair that the judge presiding should understand his language, so that if he desires to give his evidence in French, he shall have the right to do so. Last week in Montreal two pilots below Quebec were accused of having caused accidents. They are both clever men: one has been a pilot for ten years, and another for thirty-five years, who had never been in an accident before. An accident happened at Quebec at the opening of navigation, when it was possible for the Government to have lights and buoys there—but there were no lights nor buoys. We know what the Shipping Federation says in the matter: they put the responsibility on the Government. However, I am not discussing that now, because there is an appeal from the decision of the Wreck Commissioner. When these pilots came to Montreal for their trial, they were brought before Captain Lindsay, the Wreck Commissioner, who does not speak one word of French. He took two men as assessors who did not understand French, so there was a tribunal in Montreal to pass on the case of two French Canadians who had to give their evidence before men who did not understand their language. The least they could expect from the gentlemen on the bench was that before giving judgment they should send copies of the evidence to the pilots. There were a good many technical terms used, and they did not quite understand it. However, judgment was rendered without giving them an opportunity to see the evidence. Now if there are men who ought to understand French, they are men who exercise judicial functions. They should understand both languages. Fancy any man being accused in Toronto or Halifax, or St. John, or even in Ottawa and tried by a French Wreck Commissioner and two assessors, not one of whom understood English. There would be a row at once, and the men would be justified in complaining. If it would not be fair to try English pilots before French commissioners, who did not understand their language, it is easy to understand how these pilots who were recently tried in Montreal felt. I appeal to the sense of justness and fairness of members of this House to accept the amendment which I propose. I would protest against such an injustice if the judges were French, who did not understand English, and the accused were English speaking. I have cited a case which happened last week. It is stated in the papers, and I think it is true, that this same Captain Lindsay is to be appointed Superintendent of Pilots at Quebec, where there is not a single English speaking pilot. Since the law requires the pilots to understand both languages, is it not fair and right that those who are to preside over them, and hear evidence in cases coming before them, should understand both languages? This amendment must appeal to the common sense of every member of this House and to the sense of British fair play. If Captain Lindsay is to be appointed, and the amendment is not accepted, you can easily understand what will happen when this man goes to Quebec. We can easily understand what his position will be, and I pity him under the circumstances.

Hon. Mr. TAYLOR—I understand the hon. gentleman to say that the pilots understand both languages—that they had to

understand both languages before they got their license.

Hon. Mr. CHOQUETTE—Yes, we do not object to that; we are satisfied with that.

Hon. Mr. TAYLOR—That is the fact now.

Hon. Mr. CHOQUETTE—That is the law now.

Hon. Mr. TAYLOR—Then what injury can they suffer, if they understand both languages, and the judge understand one of them?

Hon. Mr. CHOQUETTE—The judge should understand both languages.

Hon. Mr. BOYER—Why should it be one-sided? Are we not entitled in the province of Quebec to be judged by our peers? A few years ago we had a superintendent of the Wrecks Court in Quebec, Captain Demers, who earned his title in the English Marine, served under the Dominion Government and was appointed Wreck Commissioner. He gave perfect satisfaction. We can understand these pilots being obliged to speak English, so far as it relates to the navigation of the river, but when it comes to understanding a long argument in English, they are very apt to miss a great deal of it. It strikes me that it would be only simple justice, if the pilots are required to understand navigation under British laws, that when they are tried they should be given a chance, if a question is put to them in English that they do not understand, that they may ask the judge to translate it for them. As it is they are not even allowed an interpreter; they have to fish out the evidence as best they can, and understand, as far as possible, the arguments of their lawyers to save their certificates. It has been my good fortune to be present at several trials. I take a great deal of interest in the navigation of the St. Lawrence. These young men have had no occasion to learn English except for navigation purposes. They get into trouble and they cannot make out the evidence given against them in English. Now in a court composed of three assessors, surely there would be no harm in requiring one of them to understand the language of the pilot. All the pilots between Quebec and Father Point are French Canadians. Occasionally the pilots get into trouble and are liable to lose their certificates. It seems to me it would be only doing justice to a good class of men to have one of the assessors, at least, understand French.

Hon. Mr. CHOQUETTE—My hon. friend from Gananoque (Hon. Mr. Taylor) asks if the pilots understand English. As I have told him they are obliged by law to understand both languages. But a lot of the witnesses in these cases do not. In the case I have referred to in Montreal last week, there were three witnesses who could not give evidence in English. I had to conduct the whole case myself in English. That is not fair, in the province of Quebec especially.

Hon. Mr. LOUGHEED—In moving the second reading of this Bill it will be observed that this question, which is now under discussion, is not at all germane to the Bill. The object of the measure is to carry out the recommendations made by the Royal Commission appointed in January, 1913, to inquire fully into the whole question, and the recommendations which were there made were made by a board upon which Mr. Lachance, the president of the Corporation of the Pilots of Quebec was a member. It cannot be said that the French speaking pilots of the province of Quebec were not duly represented on that commission, when their president who is a French-Canadian was one of the members thereof.

Hon. Mr. CHOQUEET—But he dissented from the report.

Hon. Mr. LOUGHEED—My hon. friend is in the position that many counsel find themselves who happen to be on the losing side, and feel a sense of disappointment that they have not succeeded. I have practised law sufficiently long to know that when one loses a case he loses confidence in the court that tried it, and concludes that the fault lay, not in the way he presented his case, but rather in the judges who heard it. That is the position it appears to me, which my hon. friend occupies.

Hon. Mr. CHOQUETTE—Not at all.

Hon. Mr. LOUGHEED—Let us see if the principle which my hon. friend advocates is carried out in the province of Quebec in other matters that are somewhat parralel to this. I am unaware of any requirements, under the law governing the judiciary of the province of Quebec, that a judge in that province must speak both languages.

Hon. Mr. CHOQUETTE—They all speak both languages.

Hon. Mr. LOUGHEED—There is no requirement that they should; yet the judges deal with matters of life and death, matters infinitely more important than anything the Wreck Commissioners may be compelled to deal with. If my hon. friend insists on his amendment he is establishing a precedent which I think we have not on the statute-book, particularly with reference to any one who occupies the position of a judge or of a quasi judge, and if my hon. friend is going to be insistent that this amendment be made to all Bills—because this is not the first or the second Bill in my recollection in which he has sought to make this obligatory on the Government in the appointment of its officials—I may say to my hon. friend I do not think it will be in the interest of his compatriots that such an obligation should be imposed on the Government in making appointments. This Bill is for the purpose of carrying out the recommendations made by the commission. The provisions in the Bill have not only been approved of by the commission to which I have alluded, but by all the shipping interests of the province of Quebec. It is manifestly in the interest of that province, and particuarly of the navigation of the St. Lawrence, that such recommendations as are here made, should be adopted. They commend themselves, not only to the shipping interests navigating that great river but to the whole commercial interests of the province of Quebec. We know very well that for a number of years the character of the navigation of the St. Lawrence river has been criticised for the safety of the vessels plying upon it, and the duty devolves upon the Government of introducing and adopting the wisest legislation that can be prepared for the purpose of increasing public confidence in the safety of navigating the St. Lawrence.

Hon. Mr. BOYER—We are not quarreling with the object of the Bill, which is a good object. The recommendation of that commission was that the charter of the Board of Pilots navigating between Quebec and Father Point should be broken, and that the pilots should be put on the same footing as the pilots between Quebec and Montreal. The Shipping Federation has asked for such a Bill; but you are creating a new state of affairs in Quebec. These pilots are all French-Canadians. Is it not just, since you are taking their charter away, that the man who is going to be the superintendent in future should at least understand their language, so as to be able to discuss with them whatever improvements may be needed, and thus help to make the navigation of the river perfectly safe?

Hon. Mr. LOUGHEED—I do not wish to interrupt my hon. friend, but is he justified in saying that any appointment that may be made will not take into consideration the best interests, not only of the pilot, but of the whole shipping interests that may ply on the St. Lawrence? I am not aware of any such appointment having been made or of the Government having committed itself to the appointment of any official who may not possess qualifications necessary to the best interests of the country.

Hon. Mr. BOYER—We were told that this Captain Lindsay was resigning as Wreck Commissioner and was to be the new Superintendent of Pilots in Quebec.

Hon. Mr. LOUGHEED—I am merely speaking as to my own knowledge. I have not heard of that fact, and yet it may possibly be an accomplished fact, without my having any information on it.

Hon. Mr. CHOQUETTE—With the consent of the House I shall withdraw my motion and renew it when the Bill is in Committee of the Whole.

The amendment was withdrawn, the motion for the second reading was agreed to, and the Bill was read a second time.

JOINT TERMINALS AT WINNIPEG BILL.

IN COMMITTEE.

The House resolved itself into Committee of the Whole House on Bill (81) An Act respecting the entrance of the Grand Trunk Pacific Railway Company and the Canadian Northern Railway Company into their joint terminals at the city of Winnipeg.

(In the Committee).

Hon. Mr. LOUGHEED—This is a short Bill to ratify a certain agreement entered into on April 10, 1911, between the Minister of Railways and Canals, the Grand Trunk Pacific and the Canadian Northern railway, the agreement being embodied in the schedule attached to the Bill.

Hon. Mr. BOSTOCK—Do not most of the terminal facilities at Winnipeg belong to the Canadian Northern? Looking at the schedule, I should say that the Grand Trunk Pacific and the National Transcontinental railway are doing the paying.

Hon. Mr. LOUGHEED—The terminals chiefly belong to the Canadian Northern railway. The Grand Trunk Pacific owns a small portion of the terminals. Of course, these same terminals will be used by the National Transcontinental railway, but as I understand it, the Canadian Northern railway are most largely interested.

Hon. Mr. WATSON—Are the terminals used half by the Canadian Northern railway and the other half by the National Transcontinental railway?

Hon. Mr. LOUGHEED—I think not.

Hon. Mr. WATSON—Have the National Transcontinental railway arrived at a settlement with the Canadian Northern railway with regard to entrance to the terminals at Winnipeg?

Hon. Mr. LOUGHEED—I am sorry that I cannot give any information on that. I am not aware what the negotiations may be. Does my hon. friend refer to the litigation which has been proceeding some time as to expropriation?

Hon. Mr. WATSON—Yes.

Hon. Mr. LOUGHEED—I am unaware whether judgment has been given on that yet. My impression is that judgment has not been given.

Hon. Mr. DANIEL, from the Committee, reported the Bill without amendment.

CIVIL SERVICE AMENDMENT ACT BILL.

DEBATE RESUMED.

The Order of the Day being called:

Resuming the adjourned debate on the motion for the second reading of Bill (B-3) An Act to amend the Civil Service Amendment Act, 1908, as respects the Senate of Canada.

Hon. Mr. BOLDUC—At this late hour, it being nearly twelve o'clock, I do not believe it is possible to deal with this Bill to-night, and I therefore move that the order of the day be discharged and put on the order paper for to-morrow.

Hon. Mr. THOMPSON—I really do not think that this matter should be longer deferred. I cannot see why this matter cannot be treated fairly, and why the House would not be disposed to let the second reading go. It has now been before the House for two or three weeks, and it seems to me that we have discussed this question long and far enough to, at least, let it pass the second reading, which has been adjourned three or four successive times. I would ask the House to determine whether they want to go any further or not, and if not, I would prefer that it be dealt with at once. It is not an important issue, and when it comes before the House again it can be dealt with just as well as now. I cannot feel that there is a disposition to treat the subject matter fairly. If the House does not care to have the Bill, I am perfectly willing that the Bill should be rejected. I am only an individual member representing the committee of this House which affirmed the proposition contained in the Bill, and I bring it to the House; but it is not an individual matter. I do feel, however, that there is a disposition to treat this Bill cavalierly and not give it a proper hearing. If the disposition of the House is that the Bill should not be further considered, it will not hurt my feelings at all, but I do appeal to the House to-night, now that the matter has gone this far, that the second reading be given, and that this Bill be voted on.

Hon. Mr. BOLDUC—As my hon. friend objects to the adjournment of this debate until to-morrow, I am willing to withdraw my motion with the consent of the House, and I do not see any necessity to make any remark, as the hon. member for St. John yesterday covered almost all the points that I wanted to make.

The SPEAKER—With the permission of the House the last motion is withdrawn.

Hon. Mr. THOMPSON moved, seconded by Hon. Mr. Ross that the Bill be now read a second time.

The motion was agreed to, and the Bill was read a second time.

ADULTERATION ACT AMENDMENT BILL.

IN COMMITTEE.

The House again resolved itself into a Committee of the Whole on Bill (99) The Adulteration Act.

(In the Committee.)

Hon. Mr. LOUGHEED—My recollection is that we passed the whole of this Bill with the exception of one clause upon which the hon. gentleman from Killarney asked information.

Hon. Mr. WATSON—The clause was held up on account of the member from Kil-

larney asking why the Government should take the right to change the standards.

Hon. Mr. LOUGHEED—That is my recollection of it. I might say that I have seen and discussed the subject with the Dominion Analyst.

Hon. Mr. WATSON—That is, on the maple syrup?

Hon. Mr. LOUGHEED—Yes, and he has furnished me with a statement giving the reasons, as follows:

Laboratory of the Inland Revenue Department,
317 Queen Street,
Ottawa, May 23, 1914.

1. Maple syrup is a manufactured article only in the degree of concentration of the sap, effected by boiling off excess water. There is a manufactured maple syrup; but this is a surrogate article, not the genuine.

2. The chemical and physical characters which distinguish it from other syrups are natural and are not subject to the control of the so-called manufacturer.

3. Accepted constants for the chemical and physical characters referred to have been obtained by work done upon about 500 samples of maple syrup furnished to the department by their makers, with a declaration of genuineness. Bulletin 228.

4. Previously to 1911 our constants were derived from work done upon a limited number of samples made by ourselves from the sap, and therefore known to be genuine.

5. Standards were made less exigent, and constants lowered, after 1911 when samples furnished by outsiders were accepted as genuine.

6. It is important that standards shall not be such as may not be met by any honestly made sample of maple syrup.

7. Natural variations in the critical characters of maple syrup are known to exist. These are due to seasonal and periodic differences in the sap; to the nature of the soil; the species of maple tree, and other causes which cannot be controlled by the sugar maker.

8. If the samples referred to in section 3 were genuine, then this natural variation is very great indeed, and genuine maple syrup is an article of very indefinite character.

9. Considerable doubt has arisen in connection with samples taken as genuine in the study of 1911, and it may be that further examination will prove that certain samples supplied with a guarantee of genuineness were nevertheless fraudulent.

10. In such case a reconsideration of present standards would be justified.

I might say 'constants' is a technical term. The Analyst also informed me that invariably the practice of the department has been that, where a change of standard has been adopted by the Governor in Council, at least six months notice is given. Where that would apply to food that is being consumed by the public of course they adopt, a standard at once, but such standards as would be adopted respecting maple sugar and maple syrup would, at least, receive six months notice.

Hon. Mr. BOSTOCK—So that there would not be any change of standards during the season.

Hon. Mr. LOUGHEED—No it would not be changed during the season.

Hon. Mr. BOYER—Why are we exacting such a degree of purity in the matter of maple syrup and maple sugar, to which nobody objects? Maple sugar and maple syrup are staple products of the country of which every Canadian should be and is proud. By this Bill we are enacting a very high standard, but we are not raising the penalties for adulteration. It strikes me that we are exacting from the manufacturers, who are generally our country people, such a high standard that the punishment of those who contraband their goods should also be raised. Now to give you a case in point: On November 23, 1911, Professor J. F. Snell, Professor of Chemistry at the Macdonald Agricultural College, wrote to the Department of the Inland Revenue complaining that a commission firm in Winnipeg had sold Silver Leaf Brand maple syrup as pure, in violation of the Adulteration Act. Professor Snell was required, in accordance with the Act, to deposit $25 with the department in order to secure inspection. He provided the money and the department made the inspection, and having found the complaint proven, and having taken the $25, they prosecuted. A Winnipeg judge fined the offending commission firm $5 and costs. Professor Snell received his deposit back in August, 1912, about fifteen months after he had deposited the money. Here was an Act that was violated; this man had the courage to draw the attention of the Department of the Inland Revenue to a flagrant case of adulteration, and the offender was fined $5, and the gentleman who took the trouble to prosecute deposited $25, and it was fifteen months before his deposit was returned. By this Bill we are exacting a high standard. It is a good thing, but then we should vary the punishment. If you raise the standard of the goods, the violation of that standard should be punished on an equal footing.

Hon. Mr. WATSON—The question was raised by the hon. gentleman from Killarney who comes from the province of Quebec

asking why the Government should take power to change the standard. I say that maple syrup and maple sugar are produced by the methods suggested by the hon. gentleman—by the evaporation of the water, the sugar remaining. Syrup is judged in value by its weight; I see by this Bill a gallon of maple syrup shall weigh not less than 13 pounds 3 ounces. Then we find the provision 'providing always that the Governor in Council may change the standard from time to time,' and so on. Syrup is generally sold for $1 a gallon. That would be syrup which is supposed to weigh 13 pounds 3 ounces. There is plenty of syrup which does not weigh over 12 pounds. It would be still pure syrup, but you would not get the worth of your money if it only weighed 12 pounds when the standard was 13 pounds 3 ounces. I do not think the Government should take power to change the standard of maple syrup from time to time. The hon. gentleman says there must be six months' notice. If six months' notice is given the Act of Parliament should be changed, because you have the wrong standard. The standard should be fixed the same as in wheat or any other commodity. The person buying syrup expects to get 13 pounds 3 ounces, and if he does not get that he is deceived. It may not be any adulteration; it may be maple syrup, but it is not the same weight as the standard requires.

Hon. Sir MACKENZIE BOWELL—The weight of a gallon of syrup might be governed by the time the sap was boiled.

Hon. Mr. WATSON—Entirely that.

Hon. Sir MACKENZIE BOWELL—The longer it is boiled the more water would be evaporated, and the syrup would become thicker and consequently heavier. It seems to me there would be great difficulty in fixing a standard for maple syrup. The different kinds of maple trees would produce different kinds of sap. The sap that runs from the hard maple of Ontario contains a much greater quantity of saccarine matter than the sap which flows from the soft maple, though the soft maple will produce about 25 or 30 per cent greater quantity of sap than the hard maple. When you consider the different varieties of the maple trees and the quantity of sap which is extracted from the trees in spring, it would require a much more scientific man than I am to fix a standard. I know the maple sugar made from the hard wood is a much stronger and sweeter character than that made from the soft maple. The analysts who studied the timing have suggested this mode of ascertaining the strength and purity. Better let them be the judges.

Hon. Mr. THOMPSON—In the province of New Brunswick there are quite a number of maple orchards. In the county of York where I live there are some twenty people who manufacture and make the honey and maple sugar as we call it. I hardly think that this Act will apply to these people who make the sugar and sell it in the neighbourhood of Fredericton and St. John. The quality of the sugar is determined by the people who buy it. It is the highest class that may be produced by maple sap. Some use evaporators and others use the old-fashioned kettles; the sap is heavier the nearer it approaches a sugar condition. I presume this Act is necessary in general commercial interests of the country.

Hon. Mr. LOUGHEED—The manufacturers have asked for it.

Hon. Mr. THOMPSON—Large wholesale manufacturers ?

Hon. Mr. LOUGHEED—No, the manufacturers came up here in a body, particularly from the province of Quebec—those who make the pure article. It is they who have been urging it upon the Government.

Hon. Mr. THOMPSON—I am quite sure its application in New Brunswick would be quite right, because they have not practised the making of the adulterated article.

Hon. Mr. BOYER—Would the hon. gentleman tell me why we should exact that maple sugar shall be entirely the solid product resulting from the evaporation of maple sap ? The second paragraph of clause 6 reads:

> Maple syrup shall be syrup made by the evaporation of maple sap, or by the solution of maple concrete in water, and contain not more than thirty-five (35) per cent of water. The dry substance of maple syrup shall meet all the above standards for maple sugar.

Is that not rather opening the door to adulteration, because maple concrete is nothing but a very low grade of sugar. Evaporated in water, what kind of syrup would it produce ?

Hon. Mr. BOLDUC—I agree with the hon. gentleman who mentioned the fact that soft maple would produce a sap which is inferior, and which contains less saccarine matter than the hard maple; but still the only difference, I was told, is that if you

have a sap from soft maple you have to boil it longer.

Hon. Mr. WATSON—You have to evaporate more of it.

Hon. Mr. BOLDUC—And it will produce as good sugar as the hard maple. I agree with the hon. gentleman on the other side of the House that the penalty in the Bill should be more severe. We should impose a penalty on persons who adulterate the maple syrup. There is nothing said as to any penalty in this Bill. If there is any amendment to the Adulteration Act later on, I suppose the Government will see their way to impose a heavier penalty on those who adulterate.

Hon. Mr. WATSON—I fully appreciate what the leader of the House said with regard to the demands which have been made for this measure, but only a portion of this Bill was asked for. I do not think the gentleman who advocated having an Act passed to insure pure maple syrup and pure maple sugar, suggested for a minute that the standards might be changed at will by the Governor in Council. They wanted a standard that would be known and advertised as pure maple syrup and maple sugar. Everybody quite appreciates that if you take sap from a soft maple you have to evaporate just as much more to get a pound of sugar, but the result does not depend on the quantity of sap you boil. What we are concerned with in this Bill is to get the sugar and syrup of a pure quality, and my hon. friend knows, if he buys syrup only weighing twelve pounds it is worth fifteen or twenty cents a gallon less than syrup weighing thirteen pounds three ounces. I object to the Governor in Council changing the standard. If the standard at thirteen pounds three ounces is right and proper, let it remain at that, and then if I am buying syrup I know that I am buying a gallon of syrup weighing thirteen pounds three ounces to the gallon. If you are making a standard, let it be fixed by statute, and the standard should only be changed by Act of Parliament. I do not think the Governor in Council should change the standard.

Hon. Mr. LOUGHEED—This is entirely a scientific question.

Hon. Mr. WATSON—No.

Hon. Mr. LOUGHEED—And it can only be established by chemists as to what pure maple sugar and maple syrup are. This was gone into very fully, not only with the producers of maple syrup and sugar from Quebec, and others who were engaged in the manufacture, and they decided upon this. I say to my hon. friend that it would not be doing credit to the Senate to say that you can fix arbitrarily on a standard to-night for maple syrup and maple sugar that may be the standard a year or two hence.

Hon. Mr. WATSON—Oh, yes you can.

Hon. Mr. LOUGHEED—Scientifically it is impossible to do it. It can only be done through a test made at the time. Other standards may be established. Various factors enter into the composition of the article, they are climatic and physical, and represent all the features that enter into the tree, into the sap, into the ground and all the other factors.

Hon. Mr. WATSON—Take the standard for maple syrup: Maple syrup shall be syrup made by the evaporation of maple sap, and that is your raw material. I do not care whether it is taken from a soft maple or a hard maple; it is maple sap, and it is by the evaporation of that sap you get your syrup, and there is no scientific treatment of it except that you boil it down to a certain gravity. There is no scientific question about that. It is simply a question of getting the weight, and it is the weight I am complaining about. It provides that it has to be pure maple sap, and you evaporate that and get your maple syrup, and I say that the Governor in Council should not attempt to change that standard.

Hon. Mr. LOUGHEED—My hon. friend does not think the Governor in Council is lying awake at night considering how he can change the standard to disturb the producers. The Governor in Council will be more solicitous than my hon. friend to meet the requirements of the trade and to meet public sentiment in this matter. This is a scientific subject, and the more we say it is not a scientific subject, the less credit we do to the intelligence of the Senate.

Hon. Mr. WATSON—I think the people who ask for pure maple syrup and maple sugar were doing it in the interests of the consumer and advertising their product. Then, again, there is room for another class of people, who are the dealers in maple syrup and sugar; men who buy large quantities, and would buy it on the standard of 13 lbs. 3 oz. to the gallon from

the producer. They take it to the factories and recan it and retin it, and reduce it in weight, and if the regulation is changed to allow them to alter this product which is bought at 13 lbs. 3 oz., and sell it at the price of pure maple sugar, then they can make a profit on it.

The schedule was adopted.

Hon. Mr. McKAY (Cape Breton) from the Committee, reported the Bill without amendment.

The Senate adjourned until 3 o'clock to-morrow.

THE SENATE.

Thursday, May 28, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THIRD READINGS.

Bill (Q-3), An Act to incorporate the International Suburban Railway Company.—Hon. Mr. Young.

Bill (F-3), An Act to amend The Secret Commission Act, 1909.—Hon. Mr. Davis.

Bill (84), An Act to amend the Export Act.—Hon. Mr. Lougheed.

Bill (138), An Act to amend the Irrigation Act.—Hon. Mr. Lougheed.

Bill (170), An Act to amend The Canada Grain Act.—Hon. Mr. Lougheed.

Bill (180), An Act to amend the Canada Temperance Act.—Hon. Mr. Lougheed.

Bill (196), An Act respecting The Canadian Pacific Railway Company, The Grand Trunk Railway Company of Canada, and The Toronto Harbour Commissioners.—Hon. Mr. Lougheed.

Bill (136), An Act to amend The Dominion Lands Act.—Hon. Mr. Lougheed.

Bill (137), An Act to amend the Dominion Forest Reserves and Parks Act.—Hon. Mr. Lougheed.

Bill (181), An Act respecting the entrance of the Grand Trunk Pacific Railway Company and the Canadian Northern Railway Company into their joint terminals at the City of Winnipeg.—Hon. Mr. Lougheed.

Bill (99), An Act to amend the Adulteration Act.—Hon. Mr. Lougheed.

VINEBERG DIVORCE CASE.

THIRD READING POSTPONED.

Hon. Mr. TAYLOR moved the Third reading of Bill (U-3), An Act for the relief of Helen Vineberg.

Hon. Mr. CHOQUETTE—The Bill is not printed in French and, so far as I know is not printed in English either, and I object to the Third reading of the Bill to-day. The Second reading was rushed through last night.

Hon. Mr. DERBYSHIRE—I do not know of a case that has been before the Senate for a number of years which is so well sustained as this Vineberg case. The Bill should be allowed to pass.

The SPEAKER—Objection is taken on the ground that the Bill has not yet been printed.

Hon. Mr. DERBYSHIRE—I have had the evidence in my possession, and read it four or five days ago.

Hon. Mr. CHOQUETTE—The Bill itself is not printed. I am willing to let the order stand until Tuesday next.

Hon. Mr. TAYLOR—No. I move that the Order of the Day be discharged and put on the Order Paper for to-morrow.

The motion was agreed to.

JUDGES ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the Second reading of Bill (190), An Act to amend the Judges Act.

He said: This Bill provides for an increase of salaries of a number of judges in the province of Quebec, and some in the provinces of Alberta, Manitoba and Saskatchewan.

Hon. Sir MACKENZIE BOWELL—This being a money Bill we have no power to interfere with it, but I cannot let the opportunity pass of expressing my disapproval of the constant increase in the number of judges, and of increases in their salaries, considering the advantageous position they occupy over all other office holders. I remember distinctly a discussion which took place in the Senate a number of years ago, when a somewhat similar proposition to this was made. It was then pointed out that the number of judges in the province of Quebec was quite ample for the administration of justice in the province, provided the system which prevailed in that province were changed, as was attempted to be done by the Hon. Mr. Casgrain, Attorney General of Quebec at the time. It was then pointed out—and I am not aware that any changes

have been made since that period—that many of the judges in the province of Quebec had comparatively little to do, and if the system were changed so as to make use of these judges in the large centres of population, where the judges were overworked, there would be no necessity to increase the number of judges. One case was mentioned to illustrate this. There was a judge of the district of Gaspé, who lived in Quebec, and who really had during the whole year, but one case to try. Rather than go to Gaspé to try that case he preferred to pay the debt, and all expenses, himself. It may be considered almost an impertinence on the part of a layman like myself to criticise the judicial situation in Quebec, but if the system were changed, so that the services of judges appointed for districts where there is little work for them to do could be utilized, as is done in the province of Ontario, there would be no necessity for increasing the number of judges or increasing the expense of maintaining the judiciary of the province. Judges in Canada are tolerably well taken care of. They serve a certain number of years during which they receive fairly remunerative salaries, and when they reach a certain age they retire on a superannuation equal to the full amount of the salary they have been receiving. Is it not possible that the local Government in the province of Quebec could so change their system as to bring it into harmony with the system in other parts of Canada, and thereby have justice administered in the province without adding to the expense, as proposed by the present Bill. In discussing this matter with those who have a much better knowledge of the question than I could possibly have, I am assured that there would be no difficulty whatever in making the changes suggested; if the people in Quebec were not so conservative in their character in this respect, the Dominion might be relieved of a large annual expenditure for the maintenance of the judiciary in that province. From a commonsense standpoint it seems to me that some changes should be made by which the country could be relieved of the enormous expenditure to which it is put unnecessarily in the management of judicial affairs in the province of Quebec.

Hon. Mr. BEIQUE—The hon. gentleman who has just spoken seems to be under the impression that the expenditure, as far as the salaries of the Judges in Quebec are concerned, is more than in any other province.

Hon. Sir MACKENZIE BOWELL.

Hon. Mr. BOWELL—No, I do not say that. I did not wish to leave that impression.

Hon. Mr. BEIQUE—The facts are these: the province of Quebec is the only province where there are no county judges. In all the other provinces there are county judges who are paid by the government, and if the amount paid in salaries to the county judges of the province of Ontario, for instance, is taken into consideration, the expenditure is much larger in Ontario than in Quebec. The suggestion which has been made by the hon. gentleman is in the proper direction, that in Quebec the judges should be, as far as possible, centralized—that is the object of the Bill. There are two changes made by the Bill. The first change is to increase the salary of three judges sitting in the district of Beauharnois, St. Hyacinthe and Richelieu to $7,000, because these judges are sitting in Montreal to help the other judges; it is in effect applying the centralization of judges as far as these districts are concerned, because they are not far from Montreal and it has been deemed advisable that the judges should reside at Montreal and administer justice there as well as in those three surrounding districts. Therefore the legislation is in the proper direction. The other change is for the purpose of increasing the salaries of the judges appointed for the circuit court. Their salary was altogether too small. It was arranged that the chief justice should receive the sum of $5,000 dollars, and the puisne judges the sum of $4,500, which is the proper figure.

Hon. Mr. DANIEL—How do the salaries of the County court judges of Manitoba compare with the salaries of the County court judges in the other provinces not mentioned here? Are they about the same?

Hon. Mr. LOUGHEED—Practically the same.

The motion was agreed to and the Bill was read a second time.

NATIONAL BATTLEFIELDS ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (193), An Act to amend the Act respecting the National Battlefields of Quebec. He said: This Bill proposes increasing the number of Commissioners from 5 to 7, also certain powers are given to the Commission to adopt by-laws for the administration of its affairs. It proposes empowering the Commission also to purchase,

without the approval of the Governor-in-Council, as is now the law, any land that Parliament may have been authorized previously to acquire, provided that funds have been appropriated for that purpose and are at the disposal of the Commission.

Hon. Mr. CHOQUETTE—Can my hon. friend give me some reason as to why they increased the number of commissioners from 5 to 7.

Hon. Mr. LOUGHEED—It was thought desirable on the part of the government to do so. The present government has not appointed any representatives on the Commission since it came into office, and it was thought desirable, under the circumstances, that the Commission should be increased to that number. I understand the proposal is quite agreeable to the present commission.

Hon. Mr. CHOQUETTE—It would be perhaps plainer to say that they wish to get two more positions for their friends, because so far, of the five members now there, I know personally there are at least three who were friends of the government at the last election. Three voted for this government at the last election.

Hon. Mr. LOUGHEED—They were appointees of the late government.

Hon. Mr. CHOQUETTE—It is all the worse for them. That is done very often. Friends turn to be enemies in due time. That is a fact. I do not wish to say anything against these men because they are all good men, but really I do not think it is in the interest of the Commission to increase its number. Five members will do better work than seven, will be less costly, and will conduct generally not only the ordinary routine of the Commission but its general work. If the number is increased, probably the new appointees will be from Montreal, Toronto, and Quebec, or other places, and that will very much increase the expenses of the Commission. If the costs are increased there will be so much less left to do the work; so really I do not see any good in this proposition except that the Government may wish to put two of their special friends, perhaps who have been waiting at the door of the Government, into these positions.

Hon. Mr. DAVID—Is there work for three commissioners?

Hon. Mr. CHOQUETTE—I am sure three would be enough to carry on the work; the chairman, Sir Geo. Garneau, could do the work as well as three, five, or seven, and the only object of increasing the number is to give honorary positions to some Government friends.

Hon. Mr. BOLDUC—I see the Government will have great difficulty in pleasing the hon. member from Grandville (Hon. Mr. Choquette). As I understand this measure, the commissioners do not receive salaries, but devote all their time, without a cent of remuneration. If the Commission is increased by two members, Quebec ought to be more than satisfied, for those two members will be interested in improving the city of Quebec, and rendering it as beautiful as possible, and it will not cost a cent to the country. I understand that the present appointments were made by the late Government, and it is only just that the present Government should have a couple of men there to look after the interests of Quebec. As my hon. friend knows, the present Government is doing more for Quebec than any previous Governments have done.

Hon. Mr CHOQUETTE—Yes, they have promised more.

Hon. Mr. BOLDUC—The present Government has been doing more for the past two years than the late Government did in fifteen years, but I suppose my hon. friend would like better to have nothing done at Quebec, if the work is not done by pure Liberals. Notwithstanding his opposition, I hope that the Government will stick to the appointment of two members, and, after all, my hon. friend may see that it is a good measure and that the Government will have better relations with the two new members than they have had before.

Hon. Mr. POWER—The principle laid down by the hon. gentleman from Grandville is a sound one, that a body of five will do better work than a body of seven; that is the business experience of nearly every hon. gentleman present.

Hon. Mr. BOLDUC—Why not three?

Hon. Mr. POWER—So I do not think there is much force in the argument of the hon. gentleman from Lauzon (Hon. Mr. Bolduc). That hon. gentleman said that these new members would mean something more for Quebec, though he had already told us that these gentlemen were all ready to serve without salaries. If there was no pay, what is Quebec getting out of it?

Hon. Mr. YOUNG—Honour.

Hon. Mr. POWER—This is a matter respecting the administration of the business of the country, and as the present administration, no matter what their faults may be, happen just now to be trusted with managing the affairs of the country, I prefer to leave the responsibility with them, as to the number of commissioners deemed necessary. The point to which I particularly want to draw the attention of the Government is this, that the hon. gentleman from Grandville, as I understood him, said that of the five commissioners appointed by the late Government, three are in sympathy with the present administration.

Hon. Mr. CHOQUETTE—They voted for it.

Hon. Mr. POWER—I understand; they voted for a Conservative candidate at the last election. My point is this: that looking at the second clause of the Bill it occurred to me that possibly the Government proposed to do in this case as they have done in some others—make a change with respect to the commission and then, when they come to make appointments, they do not reappoint the commissioners appointed by their predecessors. I trust that that is not the case in the present instance, more particularly because, if the statement of the hon. gentleman from Grandville is correct, the friends of the Government will have a working majority on the commission when the two new commissioners are appointed. I hope that the hon. leader of the Government will inform the Senate that it is not proposed to get rid of the present commission.

Hon. Mr. McKAY (Cape Breton)—This Bill would indicate that the intention of this commission is to have a representation from the National Battlefields of Canada. The Bill is entitled "An Act to amend the Act respecting the National Battlefields at Quebec, and it indicates that the name shall be, "The National Battlefields Commission." Does that mean that this Bill is supposed to comprise all the battlefields of Canada? If it is, of course, it is a matter of very great importance, and there can be no objection taken to the number appointed on this commission.

Hon. Mr. POWER—If my hon. friend will look at the very first clause of this Bill he will read: "This Act may be cited as The National Battlefields at Quebec Act, 1914."

Hon. Mr. McKAY (Cape Breton)—But clause 1 says:

> 1. The Governor in Council may appoint seven commissioners, who shall hold office during the pleasure of the Governor in Council, and who, with any additional commissioners who may be appointed under the authority of this Act, shall be a body politic and corporate under the name of 'The National Battlefields Commission.'

That is where I cannot reconcile this matter.

The motion was agreed to, and the Bill was read a second time.

YUKON PLACER MINING ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the Second Reading of Bill (200), An Act to amend the Yukon Placer Mining Act.

He said: The present Act provides that any number of claims owned by any one individual, company, or group of individuals, included in a registered partnership, may be grouped for operation. Subsection 2 of the section of the Act which so provides grants the group the privilege of large holders of adjoining mining properties, which cannot be taken advantage of by groups of individual miners operating together. The amendment is for the purpose of extending the scope of the Act so as to provide that the grouping privilege shall extend to groups of individual operators as well as to companies and registered partnerships.

Hon. Mr. BOSTOCK—Then they do their work for improvement of the claims; they can do it all on one claim and allow the other claims to stand until they prove the one claim.

Hon. Mr. LOUGHEED—That is what I understand. It proposes to extend to any group of individuals the same rights as are now extended to companies and large partnerships.

Hon. Mr. BOSTOCK—Does my hon. friend know what those rights are?

Hon. Mr. LOUGHEED—I could not say with particularity.

Hon. Mr. YOUNG—They could work in co-operation.

Hon. Mr. BELCOURT—Is the liability of the different partners limited to the work in the group in that way?

Hon. Mr. LOUGHEED—No, I should say it would affect the claims of the individuals

who may group themselves together in co-operation for carrying out any particular work; that work would have its credit upon the individual claims of the miners who constitute the group.

Hon. Mr. BELCOURT—And the liability would be limited to the obligation contracted in connection with the operation of those claims only? Is that the idea?

Hon. Mr. LOUGHEED—I am not prepared to say that such a group could contract obligations of that character, that is, obligations for which any one individual miner would be liable. As I understand, under the regulations, it is necessary to perform so much work on each claim. Now it may be desirable that work so performed shall be of general advantage to a number of claims, and yet not be done upon any particular claim; or shall be done so as to enure to the advantage of all in the group of claims involved.

Hon. Mr. YOUNG—The clause provides that the partnership agreement must be signed. The first clause states:

> Where such claims are recorded in the name of more than one owner, before said permission is granted, a partnership agreement creating a joint and several liability on the part of all of the owners of said claims for the joint working of the same shall be executed by each of said owners and filed with the mining recorder.

Hon. Mr. BELCOURT—The liability will be determined by the terms of the partnership agreement.

Hon. Mr. LOUGHEED—Yes, whatever the agreement may be.

Hon. Mr. YOUNG—The clause I have already quoted says the partnership agreement creates 'a joint and several liability' on the part of all the owners; therefore it binds them all.

The motion was agreed to and the Bill was read a second time.

ST. JOHN AND QUEBEC RAILWAY ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (201) An Act to amend the St. John and Quebec Railway Act.

He said: In 1912 this parliament passed an Act by which the Government of Canada agreed to guarantee bonds on the bridges mentioned in this Bill, in connection with the St. John Valley Railway Company of New Brunswick. It has been found on further investigation that the railway company will not be able to build the bridges for the amount originally estimated. The company is unable to proceed with the construction of the bridges without further assistance from this Government. As it is the intention of the Government to take this railway over and operate it, in connection with the Intercolonial Railway, when completed, it is proposed to grant the assistance mentioned in the Bill. Instead of guaranteeing the bonds as was originally done in the Act of 1912, the Government have come to the conclusion that it would be more advantageous to build the bridges themselves. Tenders will be called for, a contract let and the bridges constructed as a Government work. Certain terms have been adopted as to the use of the bridges by this railway, and a proportion of the earnings of the road will ultimately be paid to the Dominion Government. It will be in relation to the earnings of the whole road as determined by the cost of that road.

Hon. Mr. BOSTOCK—This, I understand, is a railway built under a Dominion charter and is receiving a subsidy from the Dominion Government in addition to the amount to be expended under this Bill?

Hon. Mr. LOUGHEED—Yes, it has assistance from both Governments, the Provincial Government guaranteeing the bonds of the road up to a certain amount, while this Government is practically assisting the construction of the road in the building of the bridges.

Hon. Mr. BOSTOCK—Then it is the intention of the Government later on to take this over as a branch of the Intercolonial Railway?

Hon. Mr. LOUGHEED—It is to be operated in connection with the Intercolonial Railway as a branch.

Hon. Mr. BOSTOCK—What is the length of it?

Hon. Mr. LOUGHEED—In the vicinity of 200 miles.

Hon. Mr. POWER—The arrangements between the Government of Canada and railway companies that happen to be more or less political in character, deserve careful attention, and when the House goes into committee on this Bill there are some points about it which would call for special attention. The Act of 1912 limited the expenditure of the Government in connection with these bridges to one million dollars. That limit, I notice, has disap-

peared from the Bill, and no matter how much the bridges cost now under this Bill, if it becomes law, the Government is obliged to build them. How much value is to be attached to bridges which form part of a line of railway 200 miles in length, it is not very easy to say. It does not look like a very businesslike proposition. The company own a line 200 miles long on which there are three expensive bridges, and the Government constructs these bridges—that is a peculiar arrangement.

Hon. Mr. LOUGHEED—The province of New Brunswick is very much interested in the construction of this road. They have shown that by becoming guarantors on the bonds that will be negotiated for the construction of the road. Having assumed that measure of responsibility the province feels that it should not be called upon to undertake the additional responsibility of building three very expensive bridges; and inasmuch as this road is to be operated as part of the Intercolonial railway, it was thought not an unfair distribution of the obligations to be assumed, that the Government of Canada should assume the obligation of building these three bridges.

Hon. Mr. POWER—That, taken in conjunction with other actions of the present Government, looks as though, if the government of the province happen to be on friendly terms with the Dominion Government, then the Dominion Government will feel it their duty to relieve the province and the government of the province, from the results of their own improvidence. In the province of British Columbia there are provincial liabilities much heavier than those incurred by New Brunswick; perhaps next session we may expect the hon. gentleman will come down with a proposition to compel Canada to become responsible for the burden of the province of British Columbia.

Hon. Mr. LOUGHEED—I would not assume that.

Hon. Mr. POWER—I think it is a reasonable assumption.

The motion was agreed to and the Bill was read a second time.

RAILWAY ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (204) An Act to amend the Railway Act.

Hon. Mr. POWER.

He said: Under chapter 32 of the Statutes of 1909 the sum of $200,000 was placed in the estimates to be distributed over five years in the construction work to be carried out for the protection, safety and convenience of the public in respect of highway crossings of railways at rail level. A little over $60,000 of this amount has been spent in pursuance of the powers given to the Government under the Act. The five years have expired, and it is desirable that this amount should be voted during the present session for the purpose of carrying out the policy then adopted in that Act.

The motion was agreed to and the Bill read a second time.

DRY DOCK SUBSIDIES ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (205) An Act to amend the Dry Dock Subsidies Act, 1910.

He said: Under section 8 of the Dry Docks Subsidy Act of 1910, provision was made for the payment of subsidies on the basis of 3½ per cent interest per annum upon the cost of the work as fixed under the Act during a period not exceeding 35 years. It is proposed to extend this to 4 per cent on first class docks.

Hon. Mr. YOUNG—Owing to the high cost of living?

Hon. Mr. LOUGHEED—Owing to the additional cost of money.

Hon. Mr. BOSTOCK—To what docks does this refer? Has the hon. gentleman a list of those docks?

Hon. Mr. LOUGHEED—I speak subject to correction, but I think it would only apply to the Vancouver dock. It is not retroactive. I understand it is not to apply to any docks that have been constructed, that are under construction or agreed to be constructed.

Hon. Mr. BOSTOCK—It does not apply to Montreal?

Hon. Mr. LOUGHEED—No, but only to the docks which will be built at Vancouver.

Hon. Mr. CHOQUETTE—Does my hon. friend say it will not apply to the dry-dock at Quebec?

Hon. Mr. LOUGHEED—No.

Hon. Mr. CHOQUETTE—Well not exactly. There has been great talk of it for two

years, but in Quebec, according to the papers friendly to the Government—papers which praise the Government for doing things which the Liberal Government had never done before—the work has not been started. It has been publicly said the increase in the interest pertained to Quebec, and with that 4 per cent now, the dry dock is a surety. It will be a great disappointment in Quebec to know that this does not apply to the province. If the building of the dry dock is going to continue on the same basis as in the past, I have no objection, but surely there must be some misunderstanding. Am I to understand that increase of subsidy does not apply to Quebec?

Hon. Mr. LOUGHEED—It is to apply to any dock which has not yet entered upon construction. My hon. friend need not be solicitous about the Quebec dock. The people of Quebec will get their dock, and I fancy the people of Quebec are not so much interested as to whether the government will guarantee 3½ or 4 per cent bonds.

Hon. Mr. CHOQUETTE—Well I blame the government.

Hon. Mr. LOUGHEED—But you are getting the dock.

Hon. Mr. CHOQUETTE—I hope we will get it.

Hon. Mr. BOLDUC—I believe the contract has been awarded to Davis Bros. for the building of the dock at Lauzon. I do not believe two docks will be built. The contract was signed about six months ago with Davis Bros.: more than that, I am credibly informed, the work has been started by Davis Bros.

Hon. Mr. CHOQUETTE—Tenders were invited, and it was said months ago that the lowest tender was Davis Bros.

Hon. Mr. LOUGHEED—My hon. friend knows that the docks at Lévis are being built by the government does he not?

Hon. Mr. CHOQUETTE—Well, yes, now.

Hon. Mr. LOUGHEED—This was intended only to apply to companies or corporations that may enter upon the construction of docks. The policy of the government has been for some years to grant subsidies payable in 35 years on a 3½ per cent interest basis so as to permit of the necessary financial flotation of the building of the dock.

Hon. Mr. CHOQUETTE—But the point is this: the Quebec papers supporting the government have been praising the government for this very action. I should like to know if it is true or not.

Hon. Mr. BOLDUC—The contract is signed and the works are started.

Hon. Mr. POWER—I do not suppose there is any use in uttering a protest, but I have in the past protested against the policy which was adopted, I regret to say by the late government, of practically undertaking to construct or to pay for the construction of dry docks and then allowing those dry docks to be owned and operated by companies. Quebec is a place where I have always thought there should be a dry dock. Quebec is the natural port of the St. Lawrence river, and a dry dock should be located there. Under this legislation which is now being amended provision was made for a dock at Montreal, and Vickers, Sons & Maxim, I understand, have located at Montreal a dry dock, or a floating dock. I venture to repeat the suggestion which I made at the beginning of this session, or towards the close of last session, that the government might very well save the expense of constructing a new dock at Quebec by simply having this dock at Montreal, which I understand has had little or nothing to do since it has been there, towed down to Quebec, and let it be used there. Why should the government spend three or four million dollars when there is no necessity for it when they have a dock at hand in Montreal which does not happen to be used. Then another thing: I believe the contract has been made: it is rather late to say anything about it, but I may be pardoned if I refer again to the fact that the St. John harbour, which in a way might be a fairly good dry dock itself when the tide is out, has been selected as the place for the construction of a very expensive dry dock which is to cost in the neighbourhood of four million dollars. Hon. gentlemen who are familiar with the steamship business will understand that any company which undertakes to build a dry dock at St. John will never earn interest on the cost, and the country will have to pay for it. As to Vancouver, it is another thing; there is no dry dock at Vancouver and there should be one there for naval purposes, because the position of the Esquimault dry dock is indefensible.

Hon. Mr. BOSTOCK—Can the hon. gentleman give us any particulars about the dry dock in Vancouver? Have the tenders been let?

Hon. Mr. LOUGHEED—I cannot give my hon. friend any definite information at

the present moment. I understand negotiations are progressing in the direction of its construction.

Hon. Mr. DANIEL—I do not know where the hon. gentleman from Halifax gets his knowledge of dry docks, but he thinks a dry dock which is being constructed at St. John could not possibly pay. It appears to me that a responsible firm such as the firm that is building the dry dock ought to know very well what they are doing.

Hon. Mr. POWER—How is it that Vickers, Sons & Maxim, who are supposed to be responsible and intelligent people, were completely misled as to Montreal?

Hon. Mr. DANIEL—I cannot answer the hon. gentleman with regard to Vickers, Sons & Maxim. They are not the firm which is building the dry dock at St. John. The point I want to make is that the firm that undertakes to build that dock is also to operate it. They practically own and operate it, they have got to operate it. When they undertook that contract they undertook it knowing that they would not only have to build the dock but would have to keep it in operation the whole thirty years, or they could not get the subsidy of 3½ per cent, due on the cost. That is the way they get their money. That dry dock is not being built as a special favour. It is not being built by the Government. It is being built under the Dry Docks Act, the Act applies to any dry dock that may be built in any part of Canada. It is built on the subsidy of 3½ per cent, on a certain maximum cost, for a period of thirty years, and the contractors have to finance that operation by getting the actuarial value of that 3½ per cent for thirty years; the company has to operate the dry dock after it is built. My hon. friend from Halifax had better bide a wee before he makes up his mind that the dry dock at St. John cannot possibly pay. I differ from him entirely with regard to that. Of course dry docks are hard propositions for making money in this country, where our ownership of shipping is so comparatively small, but at the same time I think, with the present business and the future promise of business at that port, the outlook for the successful working of the dry dock is very good indeed. At all events the dock is being built and it is being built by a responsible firm who understand what they assume when they undertake to build it, and they know they have to operate it after they build it.

Hon. Mr. LOUGHEED.

Hon. Mr. CURRY—Referring to the dry dock at Montreal, the hon. member from Halifax stated that it is not in use, but he has been misled in that matter. The dry dock there has been in constant use since the opening of navigation this year, and I have no doubt will be used regularly. Anyway, owning and operating that dock in Montreal is part of the Government agreement with Vickers, Sons & Maxim. They are obliged to keep it there. Their expenditure this year and by the end of next year will be, I think they told me, in the neighbourhood of one million pounds. They are constructing a very up-to-date ship-building plant in connection with the dry dock. They already have contracts for one or more large vessels, and they expect to get more contracts and to carry on a continuous business in Montreal practically in the same way that they are doing on the other side of the water. I have no doubt that the dry dock will stay at Montreal, and be useful to the port, and a great convenience to the shipping of the St. Lawrence.

Hon. Mr. BOYER—I do not think we need be under any misapprehension about this Bill. If the hon. gentleman will refer to the discussion that took place in the House of Commons when the Minister of Marine and Fisheries introduced this Bill, he will find the question was put to the minister whether this increased interest would apply particularly to the dock at St. John. The answer was that it would, if the contractors complied with the new regulations, and the new regulations provide for a dock 1,100 feet long. We all know that the longest vessel in the world, the new Hamburg-American line steamship the 'Vaterland,' is 950 feet long. It was declared by the manager of the Hamburg line that a mistake had been made in building such a long vessel. We have not in Canada a vessel over 800 feet long, and still this increased subsidy provides for a dock 1,100 feet long. The Government is simply taking a little credit to itself for doing a thing that will never be realized. No company will be foolish enough to build a dry dock in Canada for the purpose of earning the present subsidy if it is to be a dock that never will be used.

Hon. Mr. McKAY (Cape Breton)—I take issue with the hon. gentleman. The rapid progress that has been made in shipbuilding would indicate that vessels of that size will be quite common before many years. A few months ago I was at Port Arthur,

Ontario, and I saw at the ship-building docks there a ship just being put on the stocks—a ship launched only a few days ago—and it was 625 feet long, with a carrying capacity of 14,000 tons. This is the size of ship that is being built to-day. The day of small ships is gone, for good economic reasons. It takes the same number of men to man a ship of 6,000 tons, that it does to man a ship of 12,000 and 14,000 and even 20,000 tons. As far as the length of ships is concerned, we have an illustration of the increase that has taken place in late years in the case of the lake freighter to which I referred. The difference between the length of a dock that such a ship would require, and one of 1,100 feet is a small matter, when you consider that it is not very easy to add to the length of a dock after it is built; you have to construct a dock of such a character that it will be of use for a considerable time. It would be absurd for a company to construct a dock only capable of accommodating ships that are in use to-day, when we find that within the last few years the length of ships has increased some 250 feet. Eventually that lake freighter will go through the canals.

Hon. Mr. DANIEL—I am inclined to think that the world has just about reached the extreme in the length of vessels, at all events for trans-Atlantic trade. Only the other day the largest steamer in the world entered and left the harbour of New York. They had a great deal of trouble in getting the vessel in and out without damaging the piers, and the vessels that were near there. The fact is, if the size of vessels is increased, there has got to be a special harbour made to accommodate them. There must be a special arrangement to enable them to berth, separate and distinct from ordinary vessels doing the ordinary trade of the world. That new steamship I believe is over 60,000 tons, but even that vessel is under 1,000 feet long. It will be many a long day before any dock in Canada will see a vessel that is over 950 feet long; that is my impression. With regard to these vessels on the lake, if they have to pass through the canal they must certainly have reached the limit of their length. A vessel so excessively long that would have to be kept narrow, would be very apt to break in two in a gale of wind on the lakes unless extremely strongly built, even then there would be great danger of a vessel so long and narrow breaking in two. I do not think there is any likelihood of the length of vessels increasing rapidly, or to the extent they have recently done.

The motion was agreed to and the Bill was read the second time.

SECOND READING.

Bill (S 3), An Act for the relief of John Robinson.—Hon. Mr. Derbyshire.

COMPANIES ACT AMENDMENT BILL.

(In the Committee.)

The House resumed in committee of the whole consideration of Bill (177), An Act to amend the Companies Act.

IN THE COMMITTEE.

Hon. Mr. LOUGHEED—Since the committee rose last night I have taken this matter up with the Under Secretary of State who has been very much interested in the drafting and passage of this Bill. He informs me that this legislation is taken, word for word, from the English Act. It is precisely the same section, with the same effect, as the English Act. They have in England the advantage given by the provisions of this section under the Companies Act, and the financial interests in Montreal have asked for its adoption. Companies in Canada should have the same advantages as are possessed by companies incorporated in England. It is with that consideration in view that the government has embodied this clause in the present Bill, so that our Companies Act will be as much in harmony with the English Act as possible.

Hon. Mr. BEIQUE—The hon. gentleman is quite right in saying that this clause is an exact copy of the section in the English Act passed in 1907 or 1908, but this Act as well as the English Act is a retroactive Act. It is repugnant to my sense of justice that acquired rights, and very valuable acquired rights, may be affected by the passing of an Act of this kind. I have had the privilege of discussing this question with the Under Secretary of State and we have been entirely unable to agree. His interpretation of clause 4 is not the interpretation that I put upon that clause. My own interpretation is this: Under this subclause 4 it would be open to a company that had issued, say, one million dollars of mortgage debentures, payable at the expiration of 10 years, and that had issued another million of mortgage debentures taking the place of second mortgages, payable at the expiration of fifteen years, and which company had at the expiration of the first ten years paid the first mortgage debentures, and thereby made the second

issue which at the time of issue was a second mortgage, become a first mortgage, to now put back the second issue as a second mortgage again after it had acquired the status of a first mortgage. That is repugnant to my sense of justice, and I cannot be a party to acquiescing in legislation of this kind.

Hon. Mr. LOUGHEED—My hon. friend will qualify that statement by saying that it is subject to paragraphs (a), (b), (c), and (d).

Hon. Mr. BEIQUE—The paragraphs (a), (b), and (c) do not treat with that at all; they treat with something different. There is something in paragraph (d), which says:

Nothing in this section shall prejudice the operation of any judgment, order of a court of competent jurisdiction pronounced or made not later than ninety days after the passing of this Act.

Well, is it a proper remedy that the rights of parties will be declared cancelled because within 90 days of the passing of this Act, they shall not have obtained a judgment? Surely not. There may be any number of persons who will not know anything about the passing of this Act. Any man reading subclause 4 of this Bill will not understand its bearing. It requires a good deal of attention to realize the purport, the real meaning, of that subclause 4; and you will make it dependent upon his taking issue and obtaining a judgment. Whether it be within three months; or even if say within twelve months, it is not dealing fairly with acquired rights. It has always been the policy of this parliament, and the Senate especially—whatever may be the policy in England—to protect acquired rights; we should do it in this case as in all other cases. I therefore move that the following be added to subclause 4:

Provided that nothing in this section shall be construed or interpreted as affecting any right acquired at the passing of this Act by any debenture holder by reason of the payment or redemption of debentures thus previously issued.

Hon. Mr. YOUNG—This clause is retroactive.

Hon. Mr. BEIQUE—Yes, it is retroactive, clearly.

Hon. Mr. POWER—You propose to add this as paragraph (i) 3 to the last clause?

Hon. Mr. BEIQUE—No, at the end of subclause 4.

Hon. Mr. KERR—I apprehend there is no idea of interfering with the existing condition of things; that there is no intention to allow by legislation a debenture to be re-issued to the prejudice of someone who has before the passing of this Act, acquired possession of that debenture.

Hon. Mr. LOUGHEED—That is all protected in the Bill.

Hon. Mr. ROSS (Middleton)—We look at this clause of the Bill from two points of view.

Hon. Mr. BELCOURT—From half a dozen, I should think.

Hon. Mr. ROSS (Middleton)—The first is from the point of view of the origin of the Act. We have been told already, and it is correct, that this is copied verbatim from the English Act which was passed in 1908, so that they have had six years experience of it in England, where there is probably fifty, or sixty times as much dealing in corporation law as there is in Canada at the present time.

Hon. Mr. BELCOURT—May I ask my hon. friend what the number of the section is?

Hon. Mr. ROSS (Middleton)—It is section 104 of the Companies Act, 1908. No difficulty has arisen about the Act in England; no oppression, no scandal of any kind has arisen; so that practically we would be fairly safe in adopting the English Act. Then there would be this further advantage about it; that we would have the benefit of all the decisions over there, if there are decisions in the Privy Council or the House of Lords or the Court of Appeal, that are binding in this country. We would have their experience to guide us in the interpretation of the Act. As far as I am concerned, I would be quite willing to accept the Act on that footing—as it was passed by the Mother of Parliaments after due consideration. It has been in force for six years and has done the work very well. But then that may not satisfy the mind of every man in this House. We have to take the section by itself. Now, it is retroactive; it was meant to be retroactive; and it is retroactive, not for the purpose of reviving what was intended to be dead debentures, but what was thought by all parties in England, and in this country too, and on the advice of experts—men like Palmer and Buckley, who write books on companies—to apply to what they thought were not dead debentures, but were existing debentures. For instance, the difference between a dead debenture and one that was issued but not supposed to be dead, would be this: suppose a debenture was payable at

the end of the year 1912; when that time came and the debenture was paid off, the debenture is dead and gone to all eternity; there is nothing in this Act that would, under any circumstances revive that debenture.

Hon. Mr. BELCOURT—No, but the Act says that you may issue other debentures in the place of those.

Hon. Mr. ROSS (Middleton)—Not in place of that issue.

Hon. Mr. BELCOURT—Yes, that is what the Act says.

Hon. Mr. ROSS (Middleton)—That is not the meaning of the Act at all.

Hon. Mr. BELCOURT—That is what the Act says in so many words.

Hon. Mr. ROSS (Middleton)—You might if you had a bargain. If you had a debenture that you pledged with the bank for a loan and then you paid off your loan, and then wanted to sell your debenture, the courts decided against what was the current opinion, and said that that was a dead debenture, but also said that the pledging with the bank was the issue of the debenture. Now, this English Act which we have copied here, provides in that particular case that they speak of, it shall not be deemed to have been an issue, or if it was an issue, in that particular case you could re-issue, because there is no harm done to the people who come behind, to say, 'your debenture belonged to a first issue but it was followed by a second issue.' It might have been that a company had not a good market to sell their first debentures, and may have borrowed money on them to the extent of 50 cents or 75 cents or whatever it might be on the dollar, and then when a favourable time came to sell the debentures, they could take them out of the bank and sell them; and I think it is a very desirable thing that a company should have power to do that.

Hon. Mr. BEIQUE—That is provided in sub-clause (b). There is no objection to that sub-clause.

Hon. Mr. ROSS (Middleton)—Very well. Now, of course, that is one of the most familiar instances you could have, but there are other things that might arise. Suppose you have one series of debentures for a million dollars, and then you want to issue a second debenture; you can provide in that second debenture that it is always to be subject to that first debenture.

Hon. Mr. BELCOURT—Would it not of necessity be subject to the first, because its security would be subsequent?

Hon. Mr. ROSS (Middleton)—It is subject in the first instance, but if you have two mortgages, and mortgage one is paid off, that strengthens mortgage No. 2; but if you have a provision in mortgage 2 that it is to be subject to a prior mortgage, then there is no injustice done to the holder of mortgage No. 1 if you provide that No. 1 may be renewed from time to time.

Mr. BELCOURT—I agree with my hon. friend; but assume that there is no such provision in the subsequent mortgage, securing the second issue of debentures: are you not dealing unjustly towards the holders of the second debenture?

Hon. Mr. ROSS (Middleton)—You would, if the first mortgage was paid off and there was nothing guarding against this. But clause four only gives them the right to escape what, after all, is only a technical thing, that is, that you authorize them to issue a debenture. Well, they issue one; then by English Common Law they say that by that document you have exhausted it, and if you issued it in any way whatever, then it comes back to you, it is dead. This Act provides practically this—that that Common Law doctrine of exhaustion of issue shall not apply at all, except in a case where you would work an injustice, and if you do work an injustice then the Old Common Law doctrine applies. So far as I am able to understand the Act at all, I fail to see any injustice to anyone.

Hon. Mr. BELCOURT—I am inclined to agree with my hon. friend from De Salaberry. It seems to me quite clear that just what my hon. friend said a moment ago is not going to occur, may occur. To begin with, I confess that this clause is one of those clauses containing nearly twenty lines, with commas and brackets and interpolations and so on, which is very difficult to understand. I doubt very much if any business man could understand it.

Hon. Mr. LOUGHEED—Is that a good reason why we should change it?

Hon. Mr. BELCOURT—No; it is good reason perhaps why we should make it quite clear so that we would know what we were doing.

Hon. Mr. LOUGHEED—It has stood the test in England for six years.

Hon. Mr. BELCOURT—What test?

Hon. Mr. LOUGHEED—Where hundreds of millions of dollars have been involved.

Hon. Mr. BELCOURT—We do not know that, we know that it has been on the statute book that is all. If my hon. friend knows that it has been tested, I should like to know when and how.

Hon. Mr. ROSS (Middleton)—Buckley gives an account of it.

Hon. Mr. BELCOURT—I may be wrong in my interpretation, but I understand the meaning of the clause to be this; that a company may at any time, notwithstanding that a first series of debentures has been paid off, issue new debentures for the same amount, and having the same priority. Now, what may have happened in the meantime is that holders of subsequent debentures—that is debentures secured by second mortgage—may have acquired priority; they may become the first mortgage. What I mean is this: a company issues a series of debentures of a million dollars redeemable in ten years; before the expiration of the ten years it makes another issue of another million dollars, guaranteed by a subsequent mortgage, that is, by a second mortgage. After the expiration of the ten years, when the first debentures are all paid off, the second mortgages having become first mortgages by reason of the first debentures having been paid, the company issue another million dollars having precedence over those who would have become first mortgagees. Now, if that is not affecting vested rights I do not know what it is. Surely the position of those people has been changed over night; they have become first mortgagees by the payment of the million dollars of debentures. The next day after that event happens, the company issues a million dollars having priority over those people who up to that moment were second mortgagees but have in the meantime become first mortgagees.

Hon. Mr. LOUGHEED—How have they become first mortgagees?

Hon. Mr. BELCOURT—Because the first mortgage is paid.

Hon. Mr. LOUGHEED—Let me say this; if the first debentures were paid off, owing to a period having expired when they became payable, then they could not be kept alive. That is the law under this Act. That is, if a periodic interval had arrived in pursuance of which they were paid off, they became extinguished and could not be revived or reissued.

Hon. Mr. BELCOURT—What I understand my hon. friend to mean is this, that this issue of new debentures could not be made until after the first debentures had been paid off; that it must be made during the life of the first debentures; is that what my hon. friend means?

Hon. Mr. LOUGHEED—No; my hon. friend illustrates the case of a first issue of debentures having been paid by reason of the effluxion of time at which they should have been paid. Then my hon. friend assumes, apparently, that that issue or an issue in lieu thereof, could be revived. That is not the case.

Hon. Mr. BELCOURT—I shall assume that that is so—that, as I put it a moment ago, the issue to take the place of this first issue must be made during the lifetime of the first issue. Does my hon. friend follow me?

Hon. Mr. LOUGHEED—That is an entirely different issue.

Hon. Mr. BELCOURT—I shall assume that is so. As I put it a moment ago, an issue to take the place of the first issue must be made during the lifetime of the first issue.

Hon. Mr. LOUGHEED—No, that is entirely a different issue.

Hon. Mr. BELCOURT—If I understand the hon. gentleman right, after the due date of the debentures, what this Act contemplates could not be done; is that it?

Hon. Mr. LOUGHEED—The debentures could not be revived after the due date. That exhausts that issue.

Hon. Mr. BELCOURT—The power given by the Act could not be legally exercised. Assuming that is the case—and it is not the case—I do not think my hon. friend's proposition is any better for this reason; if I am a second mortagee with the first mortgage ahead of me which is going to become due in a month or two or three months, I have an advantage. In two or three months I am going to become first mortgagee, but my rights are going to be changed if the company can, by another issue of debentures, for ten years postpone my mortgage.

Hon. Mr. LOUGHEED—My hon. friend is assuming a condition that cannot pos-

sibily arise under this Act. My hon. friend assumes that the first issue expires—

Hon. Mr. BELCOURT—The hon. gentleman does not follow me. I say that one month before the due date of the first issue of debentures the company, availing itself of this power under this provision would say, "Well, now we are going to replace that first issue by another issue of debentures of the same amount, payable in ten years.

Hon. Mr. LOUGHEED—No, for this reason; that those particular debentures provide that they shall be redeemed at a fixed period, consequently you cannot make another issue preserving the same priority in anticipation of their expiration at that period.

Hon. Mr. BELCOURT—If the Act does not mean that, it does not mean anything at all. The clause says:

> The company shall have power to keep the debentures alive for the purpose of reissue and where a company has purported to exercise such a power, the company shall have power, and shall be deemed always to have had power to reissue the debentures, either by reissuing the same debentures, or by issuing other debentures in their place and upon such a reissue the person entitled to the debentures shall have and shall be deemed always to have had the same rights and priority as if the debentures had not previously been issued.

If that does not mean what I say, I fail to understand the English language.

Hon. Mr. LOUGHEED—If my hon. friend would read the earlier language of the clause he would come to an entirely different conclusion.

Hon. Mr. BELCOURT—I want to make my position quite clear. I have not had an opportunity of studying this matter before, but the more I look into it, the more I analyse it, the more I am convinced that the hon. gentleman from De Salaberry is right. and unquestionably you are going to affect vested rights. They may be of little or no consequence, but that is not the point. We are not here to discuss to what extent debenture holders are going to be hurt. We are here to protect their rights. Perhaps nobody will be hurt, and perhaps somebody will be hurt. You are making this Bill retroactive. You are giving a company power to issue debentures in lieu of debentures which are in existence, but which may to-morrow become a lien on the property, but which by virtue of this legislation, is going to remain a second charge instead of the first one. If that is the possible effect of this provision, we should guard against it. I do not see what harm there can be in the amendment proposed by the hon. gentleman from De Salaberry, because if we are wrong in our interpretation, and if the hon. leader is quite sincere in what he tells the House, that he does not want to affect existing rights, and does not want to prejudice existing rights, then there can be no objection to the amendment.

Hon. Mr. KERR—By way of illustration, which I think will make the matter plain and will answer the argument of my hon. friend: a company makes two issues, an issue of first mortgage bonds for $100,000, and makes a second issue of bonds for $100,000. The second issue of bonds is placed in the hands of industries and capitalists. The first issue of bonds is still in their hands. Instead of selling them, the market not being quite satisfactory at the time, but requiring money, they go to their bank, and they borrow from their bank $100,000 on the first issue of bonds. Now that is a temporary loan. Afterwards, when the market is satisfactory, they can place this first issue of bonds more satisfactorily, and they say, 'we will take these up from the bank,' and they borrow from a third party and take up the bonds from the bank and replace them with the third party. That has been held by the courts to be re-issue, and this is to prevent that taking place—it is perfectly plain. The sale to the third party is not to be deemed a re-issue, as between the first and the second mortgagee. It makes no difference whether the pledge of the bonds in the first instance is a permanent sale to them and afterwards paid and taken up, or whether it is a mere pledge and remains so practically. In either event it would be a re-issue, but in this case this is to provide that the second mortgage does not become a first mortgage until after the first mortgage bonds are paid. That is the way it stands; I thought differently yesterday.

Hon. Mr. BEIQUE—The hon. leader of the Government admits that it is intended to affect vested rights.

Hon. Mr. LOUGHEED—You can put it that way if you choose; it is to be retroactive.

Hon. Mr. BEIQUE—And to make away with rights.

Hon. Mr. LOUGHEED—No, it is declaratory of what should be the law on the subject.

Hon. Mr. BEIQUE—If it is not intended to affect acquired rights, where is the necessity of sub-section d? That is a clear acknowledgment that there may be vested rights which might be interfered with. The effect of that sub-clause may cut away rights which have been retained by parties, had it not been for the passing of this Act. Hon. gentlemen sought to support this Bill by saying that what is intended to be covered is temporary loans obtained from the bank by pledging securities. I have no objection to that, but that is not the object of clause 4; that is covered by sub-section (b) which says:

Where a company has, either before or after the passing of this Act, deposited any of its debentures to secure advances from time to time on current account or otherwise, the debentures shall not be deemed to have been redeemed by reason only of the account of the company having ceased to be in a debt whilst the debentures remained so deposited.

I have no objection to that at all; it is fair. Nobody's rights are given away. The holders of debentures should have expected that that might be done. In all fairness it should not be treated as an issue of debentures. Sub-section 4 deals with the reissue of debentures, and it deals with the reissue of debentures when debentures have been paid whether at maturity or before maturity, in certain cases, but not in all cases. I have Buckley here commenting on the very same text of law in the English Act. Buckley deals with the interpretation of clause 4. Clause 4 reads as follows:

4. Where, either before or after the passing of this Act, a company has redeemed any debentures previously issued, the company, unless the conditions of issue expressly otherwise provide, or unless the debentures have been redeemed in pursuance of any obligation on the company so to do (not being an obligation enforceable only by the person to whom the redeemed debentures were issued or his assigns), shall have power, and shall be deemed always to have had power, to keep the debentures alive for the purposes of re-issue, and where a company has purported to exercise such a power the company shall have power, and shall be deemed always to have had power, to re-issue the debentures either by re-issuing the same debentures or by issuing other debentures in their place, and upon such a re-issue the person entitled to the debentures shall have, and shall be deemed always to have had, the same rights and priorities as if the debentures had not previously been issued

Under our law it would surely have been paid if the first issue had been redeemed by drawings. The second issue would have become the first mortgage, and we have no right to put on again a first mortgage after the expiration of five or ten years.

I do not take issue as far as the future operation of the law is concerned, but I take issue as far as this law is to have any retroactive effect, in so far as it declares that the company shall be deemed to have always possessed that power. Now it is contended that my amendment would defeat the whole object of the Bill. My amendment is limited to rights acquired at the time of the passing of the Act, so that in relation to the future, the Act will have its full effect. I only want to preserve existing rights.

Hon. Mr. BELCOURT—Anyone buying debentures after this will do so with the full knowledge of the conditions.

Hon. Mr. BEIQUE—Yes, and they will have to stipulate for the protection of their rights. Unless the object be to affect vested rights acquired at the time of the passing of this Act, I cannot see what objection there can be to the amendment I have placed in the hands of the Chairman.

Hon. Mr. POWER—It requires a good deal of audacity I suppose to undertake to interpret a clause in this Bill when we find such eminent legal gentlemen as the hon. member from DeSalaberry (Mr. Beique) and the hon. gentleman from Ottawa (Mr. Belcourt) and the hon. gentleman from Toronto (Mr. Kerr) on the one side, and the hon. gentleman from Middleton (Mr. Ross) on the other side, and taking such very different views of the meaning of the clause. I am not going to undertake to deal with that feature of the question but I wish to call attention to paragraph (d) of this sub-section 4. It reads this way:—

(d) Nothing in this section shall prejudice—
(i) the operation of any judgment or order of a court of competent jurisdiction pronounced or made not later than ninety days after the passing of this Act as between the parties to the proceedings in which the judgment was pronounced or the order made, and any appeal from any such judgment or order shall be decided as if this Act had not been passed; or
(ii) any power to issue debentures in the place of any debentures paid off or otherwise satisfied or extinguished, reserved to a company by its debentures or the securities for the same.

This paragraph (d) is incorrectly worded in this respect: it speaks of the

Operation of any judgment or order of a court of competent jurisdiction pronounced or made not later than ninety days after the passing of this Act.

Now at the beginning of this Bill it says 'the following section is inserted immediately after section 68 of the Companies Act,' so that the passing of this Act really means 1906. When you insert it in the proper place in Chapter 79 of the Revised Statutes, 1906, it becomes part of that Chapter; the draft is open to that criticism. What I want to call attention particularly to is this: the views of the hon. gentlemen from De Salaberry and Ottawa can be met by adding No. 3 to paragraph (d), something like this—I am giving substantially the amendment the hon. gentleman from De Salaberry proposes to put in another place:

Nothing in this section shall be construed or interpreted to prejudice any right acquired before the sixth of June, A.D. 1914—

That is the time we expect prorogation.

—by any debenture holder by reason of the payment or redemption of debentures thus previously issued.

That will carry out the intention of the hon. gentleman from DeSalaberry and also the hon. gentleman from Ottawa.

Hon. Mr. LOUGHEED—I could not accept this as an amendment to the Bill before us. It would be inconsistent entirely with the object of the Bill. Now let me illustrate what I mean. The amendment reads as follows:

Provided nothing in this section shall be construed or interpreted as affecting any right acquired at the passing of this Act by any debenture holder by reason of the payment or redemption of debentures thus previously issued.

Now let us assume there is a first issue of debentures that has been paid before they mature. The company that issued them may buy them in at 50 cents on the dollar, and put them in their vault. Perhaps the next day they get an opportunity to re-issue them. They have that right, because the debentures have not matured. Now this amendment would clearly prevent that being done.

Hon. Mr. BEIQUE—Who would have acquired rights?

Hon. Mr. LOUGHEED—The company may have bought the debentures but it was not intended, when they did so, to cancel them. They bought them because they could get them at a reasonable price and it was not intended to give priority to a second issue behind them. They simply held those debentures for the purpose of re-issue. The holders of a second issue have not been prejudiced because they did not anticipate or expect that the first issue would be redeemed or paid off until the period for which they were to run had expired.

Hon. Mr. BELCOURT—If the re-issue is made for a period longer than the balance of the time to elapse between the date of issue and the due date, would it not postpone the time when the second holders would become first mortgagees, thereby affecting vested rights?

Hon. Mr. LOUGHEED—No, because when the holders of the second issue of debentures acquired those debentures they did so with a knowledge that the first issue would not expire until a particular time, and they therefore had no right to anticipate that those debentures would be retired before that period, and during the running of that period they therefore should have no rights whatever, and until the expiration of that period they should acquire no rights.

Hon. Mr. BELCOURT—Suppose debentures are issued for a term of 10 years, and are redeemed after 5 years and there is still a period of 5 years to run before the due date. At the expiration of the 5 years a certain portion is redeemed and re-issued for the period of 10 years.

Hon. Mr. LOUGHEED—This Bill does not permit that to be done.

Hon. Mr. BELCOURT—The Act clearly says it does.

Hon. Mr. LOUGHEED—If the hon. gentleman will analyse the Bill he will find that is a misconception entirely. I want to deal with the different conditions which arise under sub-clause 4.

Where either before or after the passing of this Act a company has redeemed any debentures previously issued, the company, unless the conditions of issue expressly otherwise provide.

If the conditions of issue do not otherwise provide, they cannot redeem them.

Or unless the debentures have been redeemed in pursuance of any obligation on the company so to do.

Then they cannot re-issue. If there has been an obligation enforceable only by the person to whom the redeemed debentures were issued or his assigns, then there cannot be a re-issue.

Hon. Mr. BEIQUE—Read the whole sentence.

Hon. Mr. LOUGHEED—

Not being an obligation enforceable only by the person to whom the redeemed debentures were issued, or his assigns, shall have power

and shall be deemed always to have had power to keep the debentures alive for the purposes of re-issue.

Now there is the whole thing in a nutshell. If there has been an obligation on the company to redeem those debentures, then they cannot keep them alive. That being the case, who is injured? The second debenture holders cannot claim that they have been prejudiced. This is an English Act which has been the law for 6 years. We propose bringing the Companies Act in Canada as closely in harmony with the English Act on this subject as we possibly can. If we cannot have the English Section in its entirety, as taken from the English Statutes, we do not want this clause. With all due deference to my hon. friend we cannot accept his amendment. If the Chamber does not see fit to give us the section as we have taken it from the English Act, we do not want it at all. Let me say, on the other hand—I know it is not necessary in an argument—but some of the ablest lawyers in Canada are in the House of Commons, and this section was passed in the House of Commons without any doubt as to what its effect would be.

Hon. Mr. BELCOURT—I have no patience with that kind of argument. What are we doing here but amending Bills from the House of Commons?

Hon. Mr. LOUGHEED—I had anticipated that before my hon. friend spoke, but I find the hon. member from De Salaberry alone has raised this point. He apparently has pointed out to the hon. member from Ottawa what his views are, and my hon. friend seems to be impressed with those views. I certainly regard the opinions of all the legal gentlemen in the House of Commons as being entitled to some respect and weight particularly upon a question of technical company law.

Hon. Mr. BELCOURT—Was the point discussed?

Hon. Mr. LOUGHEED—Yes, the whole Bill was before the House.

Hon. Mr. EDWARDS—May I ask a question? A company issues two sets of bonds, first mortgage bonds and second mortgage bonds. The first mortgage bonds have a certain period to run and they are redeemed at maturity. In that event the second mortgage bonds become first mortgage bonds, do they not?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. LOUGHEED.

Hon. Mr. EDWARDS—If a subsequent issue is made, can that issue under this Act be given priority over the second mortgage?

Hon. Mr. LOUGHEED—No.

Hon. Mr. ROSS (Middleton)—I want to point out to the hon. member from Ottawa what a re-issue of debentures means. Suppose you have a debenture which matures in 1920, and you redeem and re-issue it, you do not lengthen its life. If you make another debenture in its place it will have to die in 1920.

Hon. Mr. KERR—Does the hon. gentleman say that now, according to the law as it stands to-day, that would apply?

Hon. Mr. ROSS (Middleton)—No.

Hon. Mr. KERR—Then it does not apply to the present condition of things; you are going to change the law. We are not protecting existing rights, but we are going to change the law, and give a priority which does not exist to-day. As the law stands now, if a company makes an issue of bonds payable at a certain date, and afterwards it makes a second mortgage bond issue payable behind that at a later period, if you like, and if at the maturity of the first mortgage bonds they are paid off, the company, being the holder of the bonds, can make a new issue of them to the prejudice of the other party. You are changing the law to interfere with vested rights.

Hon. Mr. ROSS (Middleton)—Not at all.

Hon. Mr. KERR—Then if you are not intending to do so, this amendment will not interfere with you; if you are intending to do so, the amendment is required.

Hon. Mr. BELCOURT—The hon. gentleman seems to think that the discussion in the House of Commons gives him comfort. He might be very much edified if I read what was said in the other House on this Bill.

Hon. Mr. LOUGHEED—It passed through the other House.

Hon. Mr. BELCOURT—At page 3393, I find what took place reported as follows:

COMPANIES ACT AMENDMENT.

On motion of Hon. Louis Coderre (Secretary of State), Bill No. 177, to amend the Companies Act, was read the second time, and the House went into committee thereon, Mr. Blondin in the Chair.

Mr. Lemieux: I understand that the principal feature of this Bill is the creation of share warrants. Would the hon. minister kindly explain?

Mr. Coderre: The memorandum attached to the Bill explains it pretty well, I think. It says:

A share warrant is a share certificate transferable by delivery without any record of such transfer being made in the books of the company. The warrant usually provides that when dividends are declared by the company, an advertisement thereof setting out the rate and time of payments must be inserted in certain newspapers, and also that the dividend coupon attached to the warrant may be cashed at certain banks. On the appearance of an advertisement of a particular dividend the holder of the warrant may then present the coupon for that dividend and obtain payment thereof. Share warrants may at any time be exchanged for ordinary share certificates. This section was first enacted in Great Britain in 1867 and is taken without substantial change from section 37 of the present Imperial Companies' Act. It is similar to sections 61-69 of the Ontario Companies' Act. The main object of the section is to enable a company to issue a kind of security which is probably the most important dealt in on the European exchanges. This kind of security is particularly popular in France with small investors, and the French law renders share warrants more easily dealt with. There is no change from the Imperial Act except where the necessities of our Act demand verbal changes.

Bill reported, read the third time and passed.

Now that is the comfort the hon. gentleman gets.

Hon. Mr. LOUGHEED—It passed the House of Commons without opposition.

Hon. Mr. THOMPSON—Evidently the House of Commons did not get as much twisted up by legal gentlemen as we are. There are so many interpretations, that it is difficult for a layman to understand the question. If I understand the nature of the clause, the reissue of the original bonds is permitted only for the extent of the time for which they were originally made.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. THOMPSON—If that is all, you do not take from the holder of the second issue anything.

Hon. Mr. KERR—But it does. The court has held that the reissue of those bonds does not give them priority.

Hon. Mr. THOMPSON—Do I understand the present law to be this: there are two issues of bonds and the first issue will only have priority up to the time of maturity over the second issue. The courts have not decided that after a first issue has matured they can be reissued and become a first charge as against the second issue?

Hon. Mr. KERR—The court says that if the first mortgage bonds are paid off, before they become due, or when they do become due, the second mortgage then takes precedence over everything else. That being so, this would not be required.

Hon. Mr. THOMPSON—I understand that is the situation under this measure. Say there is a first series of bonds issued for a term of 25 years, but they are paid off after running 15 years of the 25; have they still the right to go the remaining ten years for which they were issued in the first place?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. ROSS (Middleton)—That is the whole story.

Hon. Mr. MITCHELL—I understand they have a right to reissue the same bonds over again. Say there is a fifteen-year bond which is redeemed at ten years. The company can sell it although it still has five years to run. This would enable a company to buy in its bonds at a reduced price and reissue them for the best price they can get for the balance of the period.

Hon. Mr. LOUGHEED—That is the way it works out.

The committee divided on the amendment which was adopted.

Contents, 21; non-contents, 14.

Hon. Mr. LOUGHEED—I withdraw subsection 4 of clause 3. I move that subclause 4 be stricken out. If the English law is not good enough for the Canadian Companies Act, then I shall not accept an amendment revising it.

Hon. Mr. BOSTOCK—There is one question I would like to ask. I understood the leader of the government to say, in a few remarks he made a short time ago, that he was making the Canadian Act on all fours with the English Act.

Hon. Mr. LOUGHEED—I said, so far as we could go on this subject.

Hon. Mr. BOSTOCK—But just placing in the Canadian Companies Act this section, even as it stands in this Bill, would not go very far towards making the two Acts similar. There must be a very large amount of difference between the Dominion Act and the English Act.

Hon. Mr. LOUGHEED—As to the subjects dealt with, it would. I move that the committee rise and report the Bill as amended.

Hon. Mr. McKAY from the committee reported the Bill as amended.

CANADA SHIPPING ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a committee of the Whole on Bill (168), An Act to amend part VI of the Canada Shipping Act.

(In the Committee.)

On clause 4.

Hon. Mr. CHOQUETTE—I wish to move the following amendment as clause 4.

No person, unless they can speak and write both official languages of this country shall in the province of Quebec after the first day of January, 1915, be appointed, or shall act as wreck commmissioner to investigate maritime accidents, or act as superintendent of the pilots.

Yesterday I gave some reasons why this amendment should be embodied in this Bill. Those who love justice and fair play will feel that men who may have to stand trial under this Act or any other Act, should have their trial before a man who can understand them; and as I said yesterday I should protest just the same if people from Toronto or any English province should be obliged to have their trials before three men who did not understand the English language. I cited a case yesterday where this had happened, and I am moving this amendment in order that the same thing many not occur again. The leader of the government said yesterday that I was like a lawyer who had lost his case, and was not satisfied with the judgment, and that I was trying to do something like criticising or appealing from the judgment. There is nothing of the kind in my mind. I tried to do the same thing when I was a member of the other House some 20 years ago, and I endeavored to have a clause like this inserted in the Civil Service Bill. When a trial began last week in Montreal, the first word I uttered in the court was my protest against the composition of the tribunal. The president of the tribunal assured me that the pilots would have the greatest fair play and I accepted his assurance; I hoped that before giving judgment, the pilots, who are French as well as their witnesses, would at least have the opportunity of reading over the evidence, which they were compelled to give in English—very often being obliged to explain technicalities about navigation. I was promised that, but unfortunately the first thing I received was not a copy of the evidence, but a copy of the judgment—a most unfair judgment, and one against the evidence. Perhaps it was because those pilots could not speak English well enough to be understood by the tribunal, and the shorthand writer may have misunderstood them, and given another colour to their evidence, and perhaps the judge, in good faith, had given judgment on that evidence. I have appealed the judgment before the Minister, and I shall very easily prove that the judgment is absolutely against the evidence especially on the question of facts. I cite this case as only one reason among many for this amendment being put in the law. In justice and fair play I am asking to have this clause inserted. It can affect nobody prejudicially; it may be an inducement for those who would like to act as wreck commissioners or assessors, either in Quebec or Toronto, to learn English if they are French, or French if they are English, and thus to elevate the education of the people of Canada, especially of those who are looking for public positions. I am informed that Captain Lindsay, if not already appointed is going to be appointed superintendent of Pilots of Quebec. Well, we all know that there is not one English speaking pilot from Montreal down below, and Mr. Lindsay does not understand one word of French. So if Mr. Lindsay is appointed, or if he is going to be appointed, I give him six months to learn the French language, to understand French. That is very fair; it is more time than we Frenchmen are given in many cases to learn English, and I may say that we can easily learn English in six months.

Hon. Mr. DAVID—I always attach great importance to propositions of this kind and I think at this time the hon. members of the House ought to vote for the amendment moved by the hon. member for Grandville. It is a question of British fair play and justice. It applies to cases where all the witnesses and parties interested generally speak only one language, French; and it is only right that a man should be tried by a judge who understands the language the man speaks and that the commissioner or the judge should be able to understand the language of the witnesses. I have no objection to vote for the amendment.

Hon. Sir MACKENZIE BOWELL—What would the hon. gentleman do if the crew were all Norwegians and understood neither French nor English; would you compel the commissioner to understand their language as well? No member of the Senate has a stronger opinion of the necessity of understanding both languages in a country like

ours, composed of two races, than I have. I am speaking from personal experience in my public capacity; as one not understanding properly the French language, I have come to the conclusion, after a good many years experience that the effect of the introduction of the question of language into a resolution such as this for the purpose of making its statutory tends more to separate and create divisions and discontent in the country than any other question that comes before us. Whenever you propound the proposition of imposing either the English language upon the French or the French language upon the English people, as is indicated in the resolution, you create a feeling of animosity and discontent in the country that should not exist. This country is composed of two different races, therefore the less we interfere with either the one or the other the better for the peace and harmony of the country. I do not think anyone who has watched my public career will accuse me of prejudice against any class, either race or creed. I have my own opinion, as strong I think as anyone here, but I realize the fact that we are living in a country where there are two elements of races and creeds; if you interfere by attempting to force the opinion of one upon the other in this respect you are doing much to create discontent in the country. I speak freely upon this question, and I do so for the reason that I think my public conduct towards both races and creeds has been of such a character that I could not be accused of any prejudices, no matter how strong my individual opinions may be upon any of these questions. I want to see Canada grow up as a whole with no divisions further than is necessary. I realize that in order to succeed in this country properly, it is much better that every man, particularly in public life, should understand both languages well. Those who do not have that education, like myself, have experienced difficulties and troubles in endeavouring to administer the affairs of the country. I have strong views on this question and I deprecate any attempt to enforce the views embodied in that resolution, by statute, on the people of this country.

Hon. Mr. BELCOURT—This is not a question of one's likes or dislikes. It is a question of justice. I understand from the hon. gentleman from Grandville that a trial took place a few days ago when the people whose conduct was being investigated, understood very little English and were tried by men who did not understand a word of their language. That is not a question of one's predilections or what one would like to do, but it is a question of justice. I have had 30 years experience in court, and I know what the answer to this objection will be, that the evidence was given through an interpreter, that the witnesses and the accused had a perfect right to have someone translate their remarks and their evidence. I know, and everybody who has any experience with the courts knows that the interpretation of witness' evidence is a most unsatisfactory thing. I understand English pretty nearly as well as I understand my native tongue, but I realize that I could not go to court tomorrow and properly and accurately translate the evidence of witnesses from one language into another. There are thousands of shades of meaning. There is the vernacular, local expression and idioms, which are peculiar to Quebec and other places—things that cannot be translated. Those who know the two languages will understand that there are expressions in the French language which have no adequate corresponding expression in the English language. These men were being tried by men who could not understand a word that they said, and these men could not understand a word the judge was saying to them, and yet we have my venerable friend from Hastings inquiring 'What would you do in the case of a Norwegian.' I say I am tired of being compared to the Norwegians; I am tired of French Canadians, the pioneers of Canada—the men who were here 100 years before anybody else—being compared with Doukhobors and Norwegians. I object to my race being put on the same level as the Norwegians, Doukhobors or Galicians. We were here before the ancestors and forefathers of my hon. friend from Hastings; we were in Ontario before his forefathers came here, and yet we are told . . .

Hon. Mr. McKAY (Cape-Breton)—Will my hon. friend say that the Norwegians were not here before the French Canadians?

Hon. Mr. BELCOURT—I am sorry my hon. friend has read so little Canadian history that he does not know that the pioneer settlers in this country were French people, and that the first boats on the lakes were run by French people, yet when we claim in Quebec the right to be tried by people who understand our language we are met with the question, 'What are you going to do with the

Norwegians and Doukhobors?' And I protest against that. My hon. friend from Hastings, for whom I have had the greatest admiration, time and again rises in the House, and also speaks in the country and says he has no objection to the French language, he wishes he had learned it and regrets that he hasn't done so, and he refuses every opportunity that is offered to make or help other people learn that language. When we want to impose the qualification of a knowledge of French my hon. friend says: 'You must not do that. You are raising animosity and discontent, and if we are going to have peace and harmony in this country and if this country is going to prosper and be a great country we must not touch upon that question.' In other words the minority must do what the tyrannical majority want them to do, and they cannot say a word for fear of raising the animosities and prejudices of other people in the country. It is unjust, and I am surprised and shocked that a liberty loving people like the British should be constantly using arguments of that kind. I will correct myself; it is not the liberty loving British people that do that, it is Canadians. We do not hear it in England or India or any other part of the British Empire but in Canada and only from a section of Canada. You do not hear it from the province of Quebec, from the French there. They are content to give the English their rights with the measure flowing over, but here, in Ontario, if we claim the right to speak the language of our mother, we are outcasts and have no more rights than the Galicians and Doukhobors, we are raising animosity and discontent. I protest, with all the force and solemnity I am capable of, against the damnable injustice of such an attitude by people in this province and in this House. What is there more reasonable than the proposition contained in this amendment that men who are going to be tried shall be able to understand the language of the judges who try them, and that they shall be able to give their evidence in the only language they can speak; and yet we are told that by asking for such a right we are creating animosity and are practically rebels. The other day when an amendment similar to that was proposed by the hon. gentleman from Grandville I am reported to have said that I was against his amendment because it was limited. I meant that it was imposing on the province of Quebec an obligation which was not being imposed on the other provinces. It was imposing on the province of Quebec the two languages, while it did not deal with the other provinces, and I said I was in favour of every official in the country speaking both languages. I am not silly enough to ask that in provinces where there are no French speaking people, that the officials shall have to speak the French language. Perhaps the language I used was not right, and perhaps the hon. gentlemen were right in giving the interpretation they did to my remarks, but what I meant to say was that here, in the city of Ottawa, where officials are brought in contact with the two races, that the officials in the public departments should be able to speak both languages. That I insist upon, not as a concession, not as on act of generosity, but as an act of justice and as a right. Being of that mind I am still more strongly of the opinion that the amendment of my hon. friend has every reason to commend itself to everybody, and I must repeat that I would be shocked and surprised if the members of this House vote against an amendment which makes it compulsory upon the judges who try people to know their language when these people are being tried for criminal offences for which they may be sent to jail,—that they should have the opportunity of speaking in their own language.

Hon. Sir MACKENZIE BOWELL—I have to express very great regret that anything I may have said should have raised the ire and indignation of so genial a gentleman as the hon. member for Ottawa. I have been under the impression that in this country every man had the right to express his views upon any and every question that might arise. I did so, with the firm conviction of the necessity of keeping down anything like race or creed cries. The indignation displayed by the hon. gentleman was to my mind not only unecessary, but unjustifiable. What did I say to raise the anger of the hon. gentleman as he has displayed it on the present occasion? All I did was to ask, in the case of a person who has to conduct an examination into an accident that might arise in connection with shipping, how would you manage in case they were neither English nor French—where they understood neither one language nor the other. That question might apply to all nations other than the French and English. What had that to do with the Doukhobor and the Galician. I deny emphatically the correctness of my hon. friend's imputation that I was comparing

the Doukhobors and Galicians to his countrymen; he was not right to impute to me such thoughts or expressions. I repeat again, the great difficulty arises from the extreme views held by just such gentlemen as the hon. member who moved this amendment, supported by the hon. gentleman from Ottawa. I repeat, that individually, and so far as my public conduct is concerned, I have endeavoured during my whole life—while holding strong views upon certain questions—to allay any feeling of that kind. I might just as well accuse the hon. gentleman of having denounced me as a heathen, Turk, Jew or Gentile, as he has to accuse me of comparing him with the Doukhobors.

Hon. Mr. BELCOURT—I never accused the hon. gentleman of anything.

Hon. Sir MACKENZIE BOWELL—I am afraid that his prejudices are not of such a character as to do him justice when his passions are aroused as to his nationality and creed—no more than the most ignorant man in the country.

Hon. Mr. BELCOURT—That is strong language.

Hon. Sir MACKENZIE BOWELL—I have known the hon. gentleman for a long time, and have held him in the highest possible respect. I have always known that he has strong views on the questions we are now discussing. I took this opportunity of declaring my views on the introduction of a question of this kind. The hon. gentleman says you hear nothing of that in England. Of course not. Has he ever seen any public man attempt, in England, to impose upon the people the obligation of understanding two languages——

Hon. Mr. BELCOURT—May I answer?

Hon. Sir MACKENZIE BOWELL—No, I propose to have my say. I know that it is necessary in the British army, considering the duties they have to perform, that all officers should understand the French language, and I go further to say that it is necessary in the British army, to understand the German and other languages with which they may come in contact in case of difficulties between two countries. There is no country in the world where the French language is more respected than in England, but I say that no law has been proposed to compel an Englishman to understand French or to compel a Frenchman in England to understand English. No motion has ever been put since I was in parliament which I would vote against with a stronger belief that the vote I am giving is in the interests of peace and harmony in Canada.

Hon. Mr. BEIQUE—It is regrettable that it is necessary to make this compulsory. All governments—and when I speak of governments I speak of Liberal Governments as well as Conservative Governments—should understand that either in Ontario or any other English province it is inconvenient to appoint persons to administer justice who do not understand the language of the province, and if there was a Norwegian province in Canada to-day I would be the first to claim the right for them to be tried by judges who understood their language. Would the people of Ontario tolerate a condition of that kind that justice would be administered from day to day by judges or assessors who did not understand one word of English? They are manly enough to object to anything of that kind being imposed upon them. I regret exceedingly that in Quebec they do not speak English as freely as they speak French, but we have to take the conditions as they are. You have four-fifths of the population, the whole country outside of Montreal, who do not understand a word of English.

Hon. Sir MACKENZIE BOWELL—Does not the law of Quebec provide for having representatives who understand the language of the jury in a case of that kind?

Hon. Mr. BEIQUE—There is some provision as to that. It is fair that the population be protected to that extent. The question was discussed when the second judge of the Exchequer Court was appointed because it was considered unfair to have the Exchequer Court in the province of Quebec presided over by a judge who did not understand a word of English. When inquiries are being conducted among people speaking only French, it is but fair that those holding the inquiry should speak that language.

Hon. Mr. BAIRD from the committee reported that they had made some progress with the Bill, and asked leave to sit again to-morrow.

The Senate adjourned until 3 o'clock tomorrow.

THE SENATE.

Friday, May 29, 1914.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE VINEBERG DIVORCE CASE.

THIRD READING.

Hon. Mr. TAYLOR moved the third reading of Bill (U-3), An Act for the relief of Helen Vineberg.

Hon. Mr. CHOQUETTE—I rise to a point of order. Yesterday I called attention to the fact that this Bill, though set down for third reading, had not been printed in either language. Worse than that I now find that the evidence has not been translated into French. I wanted to study the evidence, and sent for the clerk for a copy of it in French, and the reply is that there is no French version.

Hon. Mr. LOUGHEED—I rise to a point of order. The report of the committee has been adopted. If the hon. gentleman had any objection on the ground he has raised, he should have objected when the motion was made to adopt the report. It is now too late to raise the objection.

Hon. Mr. CHOQUETTE—I have raised the point of order and I intend to put my case. I sent to the clerk's department for a copy of the evidence in French, and here is the reply I have received from Mr. Grosse, the accountant of the department:

Not translated in French, May 29, 1914.

I raise the point that every document brought before this House ought to be printed in the two official languages of the country—especially when we are discussing the merits of a case.

Hon. Mr. LOUGHEED—I rise again to a point of order; we are not discussing the merits of the case now. The question should have been raised on the consideration of the report of the committee, and the report having been adopted by the House, my hon. friend cannot now go back on the decision of the House and discuss the merits of the case as embodied in the report. In addition, I may say, the evidence in divorce cases is never printed in French.

Hon. Mr. CHOQUETTE—We are now dealing with the merits of the case. There is a report of the committee before the House and the evidence is supposed to accompany it, but the evidence is not here in French. When I look to the evidence to see if it supports the statement of the petitioner, I find that there is no French version to be had. My knowledge of English is imperfect, and I do not fully take in the meaning of the evidence in English. I am entitled to have a French version of the evidence so as to weigh it properly.

Hon. Mr. LOUGHEED—The hon. gentleman cannot discuss the evidence now, because the House has already approved of the report based upon the evidence.

Hon. Mr. CHOQUETTE—At the third reading of a Bill we have a right to discuss the merits of the measure. I have raised the point of order that the evidence has not been translated into French. It is my right as a member of the House under the law and constitution, to have the evidence in French, and I cannot be forced to vote on this Bill until my demand is complied with. I raise the point of order that the House cannot proceed with the third reading of this Bill until the evidence is printed in both languages, and I ask for your ruling, Mr. Speaker.

The SPEAKER—It is in the essence of the passing of a Bill that it should be introduced at its first reading so that everybody could take cognizance of its contents. On the second reading the principle of a Bill is dealt with—I am speaking of Bills generally. If the principle of the Bill is approved of, it is sent to a committee, either a committee of the whole or a standing committee, and in that committee it may be amended. When the Bill comes up for the third reading everybody is at liberty to discuss the principle and amendments made to the Bill, and a discussion on the merits of a Bill could be made on the third reading as well as on the second reading, because the Bill may have been altered after the second reading.

Hon. Mr. LOUGHEED—That is not the point which has been taken. The point is this that my hon. friend has objected because the evidence was not printed in French. He should have raised his objection when the report of the committee was dealt with. The evidence was then attached to the report, and the report was adopted by the House. I am not discussing the Bill now; I am simply discussing the point which has been raised, namely that the evidence has not been printed in French. If the hon. gentleman had taken his objection at the proper time no doubt the House would have ordered the evidence to be

printed in French, but now that the House has adopted the report with the evidence, it would be going back on its decision to sustain the point raised by the hon. gentleman.

The SPEAKER—I was prefacing what I had to say. It is a sound principle to say that the merits of a Bill may be discussed at the third readings. So, I can not rule the hon. member of Grandville out of order on that point. His objection is that the evidence attached to the report has not been printed in French. I would not be prepared immediately to give a decision on that point of order, though I am inclined to think that the objection is taken too late; if you allow me I will study up the question and see if there are any precedents to govern the case.

Hon. Mr. TAYLOR—This Bill came up yesterday for the third reading. My hon. friend from Grandville (Hon. Mr. Choquette), took exception that it was not printed. The Bill was printed in French and on his file at the time. I move that the order be discharged and placed on the Orders of the Day for third reading, and I insist that it shall go through. The hon. gentleman takes exception because the evidence is not printed in French, though this is never done in divorce cases. It has never been the practice of this House to print the evidence taken in divorce cases in the French language. The only object of this move is to delay the Bill so as to prevent its passage this session.

Hon. Mr. CHOQUETTE—The hon. gentleman has no right to impute motives to me. I stand on my rights.

Hon. Mr. DANDURAND—The hon. Speaker mentioned the fact that the evidence accompanied the Bill. Generally evidence taken before a committee is not taken before the Bill is introduced, but is taken after the second reading of the Bill. In the case of divorce the evidence is considered before the Bill is introduced. It is only when the report of the committee is concurred in that the Bill is introduced and read a first time.

Hon. Mr. LOUGHEED—That is correct.

Hon. Mr. DANDURAND—So that the whole discussion on the merits of the case takes place on the consideration of the report. In this case the report has been disposed of by the Senate. This procedure is totally different from the procedure which accompanies the passage of a Bill on which evidence may be taken in committee. It is my impression that if the point had been raised when the evidence was under discussion in the House, and not after it had been voted on, the situation would have been different, because we are now passing the Bill as a matter of course, although we may divide on it. The Bill is generally passed as a matter of course if the Senate approves of the report. If the procedure of not printing divorce evidence in French is to be reversed, it should be done by a declaration of this House, and made to apply generally to all cases.

Hon. Mr. POWER—I quite concur with the hon. gentleman from De Lorimier.

Hon. Mr. CHOQUETTE—I wish to answer one word—

Hon. Mr. TAYLOR—I raise a point of order. The hon. gentleman has already spoken.

The SPEAKER—The point of order is well taken. It is always a valuable thing for me to hear discussion on points of order, because it may enlighten me and place me in a position to render an immediate decision. In thinking over the matter we will find precedent in a decision given by one of my predecessors, I do not remember which one, I raised this same point of order one day, and the ruling was that the point was not well taken because it came too late. The case was similar to this one, but I do not agree in the statement that practice makes law if there is a rule that over-rides the practice. I would not like my position to be taken as a final decision—that nothing could be done because we have followed a practice which may have been erroneous—but I decide for the moment that the point of order taken by the hon. gentleman from Grandville is not well taken, because it comes too late.

The motion was agreed to, and the Bill was read the third time, and passed.

THIRD READINGS.

Bill (59), An Act respecting The Toronto, Niagara and Western Railway Company.—Hon. Mr. Casgrain.

Bill (190), An Act to amend the Judges Act.—Hon. Mr. Lougheed.

Bill (204), An Act to amend the Railway Act.—Hon. Mr. Lougheed.

Bill (205), An Act to amend the Dry-docks Subsidies Act, 1910.—Hon. Mr. Lougheed.

Bill (S-3), An Act for the relief of John Robinson.—Hon. Mr. Derbyshire.

Bill (177), An Act to amend the Companies Act.—Hon. Mr. Lougheed.

Bill (14), An Act respecting the Eastern Canada Savings and Loan Company, Limited, and to change its name to the Eastern Canada Savings and Loan Company.—Hon. Mr. Ross (Middleton).

CANADA SHIPPING ACT AMENDMENT BILL.

COMMITTEE STAGE POSTPONED.

The Order of the Day being called:

House again in Committee of the Whole on Bill (168) 'An Act to amend Part VI of the Canada Shipping Act.'—Hon. Mr. Lougheed.

Hon. Mr. BOLDUC—As some hon. members wish to speak on this matter, I ask my hon. friend to postpone the order until next week.

Hon. Mr. LOUGHEED—I move that the Order of the Day be discharged and placed on the Order of the Day for Tuesday next, second sitting.

Hon. Mr. CHOQUETTE—For the benefit of hon. gentlemen who may be interested in the matter I wish to cite a case analogous to this. I refer to the statute of 1849, 12 Victoria, chapter 114, section 21, which reads as follows:

And be it enacted that no person shall obtain a branch as pilot, unless he proves that he has bona fide served a regular apprenticeship during seven consecutive years under a branch pilot authorized by license to have an apprentice as hereinafter mentioned and made four voyages to Europe; nor unless he has been examined and found sufficiently conversant with arithmetic, able to speak, read and write the English language.

If the pilots are obliged to speak, read and write English, surely a fortiari those who are called upon to judge them must be in the same position and understand both languages. I put these facts before the House in order that the members may know all about this matter.

Hon. Mr. DAVID—I want to cite a clause in regard to a question put to me by the hon. gentleman from Hastings (Hon. Sir Mackenzie Bowell), which I did not understand thoroughly. When the hon. gentleman from Hastings puts a question to a senator, that question deserves an answer. I shall not make any remarks or comments of my own but will cite section 133 of the British North America Act, which I think will be sufficient answer. That section reads as follows:

Either the English or 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 Parliament of Canada and of the Legislature of Quebec shall be printed and published in both those languages.

I wish to say to the hon. gentleman from Hastings (Hon. Sir Mackenzie Bowell) that if any person may use French or English in a court the necessary consequence is that he must be understood—at any rate whether he speaks French or English in the province of Quebec. A reference has been made to the Doukhobors and Norwegians, but this clause applies only to the French and English languages which are put on an equal footing. That is the only answer which I think proper to make to the hon. member from Hastings (Hon. Sir Mackenzie Bowell).

Hon. Sir MACKENZIE BOWELL—I may be permitted to thank my hon. friend for the trouble he has taken in making this explanation. However, his explanation has no bearing on the point that I made at the time, though I do not propose to renew that discussion. I understand the difference in the law and the constitution. My hon. friend will remember a little discussion we had here of a very amicable character, in which I read and pointed out to my hon. friend and his colleagues what rights they had under the clause of the constitution which he has just read. My intention, for which the Senate, I believe, will give me credit, in asking that question was not to cast any discredit on himself, his nationality, or his creed; I simply asked the question as to what would be the result under certain circumstances. I did not suggest that my hon. friend occupied the same position as a Doukhobor; in fact, I made no reference of the kind, but merely asked a simple question, which I very much regret was misunderstood by one of the senators, who attributed to me what I certainly never intended or thought of.

The motion was agreed to.

CIVIL SERVICE AMENDMENT BILL.

IN COMMITTEE.

The Order of the Day being called:

Committee of the Whole House on Bill (B-3), 'An Act to amend the Civil Serivce Amendment Act, 1908, as respects the Senate of Canada.'

(In the Committee.)

Hon. Mr. THOMPSON—I think this Bill requires no explanation, and I also believe it will not be repugnant to the general sentiment of the Senate. The object of the Bill is simply to bring into operation again the conditions and practice of the Senate that existed and obtained before 1908. For reasons that arose in the discussion prior to the second reading of the Bill, I think that it would be perhaps advisable to add the following clause to the Bill as it is now before the House. What I will ask to have added as clause 2 is the following:

The Civil Service Amendment Act of 1908 shall be deemed not to have affected in any manner the privileges, immunities, and powers of the Senate of Canada as respects its officers, clerks and other employees, and those privileges, immunities and powers shall remain as they were at the time of the passing of that Act.

I might say that prior to the passing of that Act there was nothing but the practice of the House in respect to these, as would appear in Bourinot's Parliamentary Procedure and Practice, page 160:

Hon. Sir MACKENZIE BOWELL.

Whenever it is necessary to appoint other officers, the subject is referred to the Committee on Contingent Accounts, who report as to the necessity for such officer, and the salary that ought to be given. All appointments and salaries (except the appointment of Crown officers) as well as promotions, are regulated by this committee. In fact, it supervises all the ordinary expenses of the Senate, apart from the members' indemnity and other expenditures authorized by statute. Its members have always jealously resented all attempts to interfere with the control of matters which it is the practice to refer to them.

The matter would be in the hands of any member to make the motion, but the final recommendation is in the hands of the committee. I do not think there is any necessity to make any further comments. The Committee on Internal Economy have approved of the Bill, and I move that the first clause be adopted.

Hon. Mr. LANDRY (Speaker)—Would the hon. gentleman tell me how, under the amendment he has just moved, the classification of the employees will be made?

Hon. Mr. THOMPSON—A classification would be effective unless the Senate thought proper to change it. It would be in order that the classification, organization and increases that are given by the consent of the Senate on the recommendation of the Speaker should still be in force. That would be a matter entirely of the adoption of a resolution, or the following of some form, and would be as much of a law in regard to the Senate as the Civil Service Amendment Act.

Hon. Mr. LANDRY—Who would pay the clerk of this House? Under what authority?

Hon. Mr. THOMPSON—The same authority by which we paid the clerk of the House prior to the passing of this Act. Let me tell the hon. Speaker that there is no statute to-day governing the practice, nor what the Senate shall do with respect to its domestic affairs. For forty years we paid the clerk of the House and the staff of the Senate, and the power of the Senate remains exactly as it was when we dealt with those subject matters prior to the passing of this Act. There cannot be a question, unless there was one before, as to how those moneys are to be had for paying the staff.

Hon. Mr. LANDRY—But where will the money be got?

Hon. Mr. THOMPSON—The money would be got as we got it before. I have not the Revised Statutes here, but the application for the money is made by the Speaker and the clerk to the Finance Department for such money as the Senate require for their services. That money would pass to the clerk of the Senate for the purpose of being appropriated, according to the best judgment of the Senate, prior to the passing of this Act.

Hon. Mr. LANDRY—But the money will be got from the House of Commons?

Hon. Mr. THOMPSON—The money would have to come from the House of Commons through the General Appropriation Act, and I assume the House of Commons would treat with the Senate as it has for forty years. If the House of Commons did not give us the money, we would not have the money to expend, but I do not forget that in that case the House of Commons would have no money to spend either. If they refused to give the Senate of Canada what, under its constitution and the constitution of the country it is entitled to have, the Senate would have to protect its own rights. The provision is made in

the constitution that these moneys which are required shall be asked for through the Speaker and the clerk of the House, and not like the moneys required for the House of Commons which, by statute, requires the Speaker, the clerk, the sergeant-at-arms and the Internal Economy Committee to make the application, and then that becomes subject to the Finance Department to say to them whether the desired appropriation shall be made part of the appropriation. In the Senate of Canada there is no such provision. If the Speaker refuses or neglects to ask for money, we might go short. I assume that the money required to meet the salaries of the staff, as well as other contingent expenses, would be asked for as was done prior to the passing of the Act. If it is, we will have the money appropriated; we will have the judgment of 25 members of this committee and we will have after that, the approval and judgment of the Senate of Canada. Under the Act we are simply made, in a sense, a department of the Government, as though the staff was for some one party who was the head of the department to control, when in point of fact it is reasonable to suppose that the staff is for the purpose of doing work for the individual members of the Senate on committee work. All this Bill does is to go back to where we were for 40 years during which there was no disturbance, or difficulty, and the whole matter was managed in a form satisfactory to the Senate. We do not deprive anybody by this Bill—we do not deprive the Speaker of making the recommendation, and we do not deprive any member of the Senate of the right to make the recommendation—but we do say that no one party can have the sole right in the Senate of Canada to control the action of this House. In respect to the necessary appropriation, there never was any difficulty in getting all the funds that we required. If this Act had not been made to apply to the Senate, we would have had no difficulty getting money to pay the staff. I assume that, having removed the application of this Act to the Senate, the Senate will be in the same position, constitutionally and by practice, as they were in for forty years before the Act was passed.

Hon. Mr. LANDRY—Does the hon. gentleman, or does he not, change the condition of things now existing by this new legislation?

Hon. Mr. THOMPSON—In a sense. It changes entirely the application of the Civil Service Amendment Act to the Senate. There is no question about that.

Hon. Mr. LANDRY—And it changes the conditions, the limitations and the qualifications to which the money grant is accorded by the House of Commons?

Hon. Mr. THOMPSON—There is no question that the provisions of the Act—if this Bill passes—will not apply to the Senate. There is no question, however, that if the provisions of that Act in respect to the staff of the Senate are of a kind and character to obtain in the future, they can be applied to the staff of the Senate. I did not expect that we would have a long discussion on this question, but I want to say this, that Civil Service Amendment Act of 1908 was primarily made for the purpose of bringing the Civil Service staff under the Civil Service Commission, and outside of one appointment that is made under this Bill, practically the Civil Service Commission should name any official to be employed by the Senate. We have no right under the Act to make a nomination except in case of technical or professional employment. It comes within the power and right of the Senate of Canada to make these exceptional appointments, but outside of that, in positions from $800 to $1,600, from $900 to $2,000 and from $2,100 to $2,800 we ought to apply to the commission, and they are the parties to name the individuals that we shall take. We have absolutely ignored that. This Senate has no more lived up to the provisions of this Act than we have lived up to the tenets of the Koran. When the question of reorganization came up last year, the Speaker introduced the Bill and I moved it. The Auditor General tells me that before a department can do that it must have the authority of the Governor in Council. I said we did not follow that course; we had no Order in Council, but we accepted a recommendation by the Speaker. He says: 'Parliament can do anything; Parliament is above departments, and if you pass the resolution that ignores the law in that respect, I am in no position to question it. You are the Parliament of Canada, but if it had been in respect to a department I would have refused to help to pass it.'

Hon. Mr. LANDRY—In answer to these few observations of my hon. friend, I will mention a letter of the Auditor General's which contradicts what the hon. gentleman says, because the Auditor General says

that the Senate cannot ignore the provisions of the Act.

Hon. Mr. THOMPSON—He has changed his mind since I saw him.

Hon. Mr. LANDRY—He cannot change his mind. Everybody knows that Parliament is above the Senate. A law introduced in the House of Commons and accepted by the Senate and sanctioned by the Governor General is more binding on the Senate than any resolution of this House. Where does the hon. gentleman find the new law that he brings up to-day?

Hon. Mr. THOMPSON—I am not introducing any law; I am not changing any law affecting the Parliament of Canada; I am not asking to place on the statute-book any law contradictory to the sentiment of the Parliament of Canada. I am simply taking out of an Act something which the Parliament of Canada itself—if it had any regard for the Senate—will recognize as the right of the Senate.

Hon. Mr. LANDRY—I am answering an observation which the hon. gentleman has just made. He says that the Auditor General tells him that the Senate of Canada may do a certain thing because it is above the law. That is a parliamentary heresy.

Hon. Mr. DANDURAND—What is the hon. gentleman's objection to the clause under discussion?

Hon. Mr. LANDRY—I want to bring my hon. friend to the point. Let me conduct my war as I please. There is what we call a frontal attack and a flank attack. I am making the frontal attack now, and I will meet the flank attack afterwards. The hon. gentleman said just now that he does not want to leave in the hands of one man all the powers that the Senate enjoyed before. Now he knows that is not the case. He knows that every recommendation that I could make to this House must be accepted by the House before it passes. The hon. gentleman said that the Auditor General had told him: 'Well, if you have an Order in Council that would be good.' That is what we are doing every day. Whenever I make a recommendation to this House, if the House accept it that is equivalent to an Order in Council. The hon. gentleman knows very well that the Bill which we are discussing proposes to amend the law of Parliament and to amend it in its money clauses.

Hon. Mr. DANDURAND—No.

Hon. Mr. LANDRY—Does the hon. gentleman mean no?

Hon. Mr. DANDURAND—I say no.

Hon. Mr. LANDRY—I ask the hon. gentleman what is a money clause? Is it not a clause founded on resolution authorizing the Government or the House of Commons or the Senate to spend such an amount?

Hon. Mr. DANDURAND—Making a charge on the people.

Hon. Mr. LANDRY—Or expending or appropriating. Making a charge on the people, that is a tax. There is a difference between a tax and an appropriation Bill—but both are money Bills. Either it makes a charge on the public or it goes into the consolidated fund to draw from it the money appropriated for the expenses of civil government. The money clauses of our Bill have been founded on resolutions brought before the House of Commons. The House of Commons decided that the classification of the Civil Service shall be made in such a manner; there will be three large divisions, and each of these divisions shall be subdivided into two classes, and a certain amount of money will be spent for those who come under those classes. More than that, every year if a civil servant had done his duty in a way to have the approbation of his superiors, he will have the right to a statutory increase, and that statutory increase will be $50, in certain circumstances, and $100 in others. That is founded on resolution. More than that if he dies, a certain amount, so many months' salary will go to his widow. Those are all money clauses, and are all founded on resolutions brought before the House of Commons. The Bill came to the Senate with those clauses; no one attacked those clauses. They were accepted. We had no right to alter those clauses because they were the money clauses of the Bill, but now with this legislation you are endeavouring to amend those monetary enactments, and to take them away. You limit them only to the House of Commons. You have no right at all to limit the money clauses. You must accept them or refuse them; this Bill is really limiting those money clauses by the removal of the Senate from its operations. You limit it only to the House of Commons, when the law says it will be for both Houses. That is the point I want to make.

Hon. Mr. DANDURAND—My answer to the hon. gentleman is that we are neither increasing nor reducing the charges which are imposed by the preceding Bill. We are simply altering the administration of the funds that are reserved to the Senate. We have relinquished, partially, the right that we had to administer the funds reserved for the Senate. We are simply declaring that, henceforth, we will return to the old mode of the administration of the funds reserved for the management of this Chamber, without affecting in the least the charges which had been imposed by an Act of Parliament and which are covered by a Civil Service Act. If this Bill passes this Chamber, and if it passes the other Chamber—because it can only become law by the Commons adopting it—then the old state of things which prevailed, and which governed the administration of the Senate will be restored. I fail to see that the House of Commons prerogatives or privileges are at all encroached upon by our action.

Hon. Mr. TAYLOR—This Bill emanates from the Senate. If we pass it here it goes to the House of Commons. If they think over there that it interferes with their privileges in any way, they have the right to kill it, and will no doubt do so; but the Senate either has the right to make some amendments, or abolish the Committee on Internal Economy. I have this year been acting as a member of that committee, and I agree with the chairman that we should either abolish that committee, or have some amendments to the law. I fully approve of the passing of this Bill and the sending of it to the House of Commons, and if the House of Commons is not satisfied with it, let them kill it. We should not lose any more time with it here.

Hon. Mr. LANDRY—I think the hon. gentleman will accept my assertiion that I have not on any occasion caused him to lose his time here, and if there is one who should be posted on these questions I think I should be—it is my duty to be—as much as the hon. gentleman himself. I have a perfect right to speak here and I will use my right.

Hon. Mr. TAYLOR—Certainly, nobody objects.

Hon. Mr. LANDRY—The hon. gentleman from De Lorimier has not convinced me.

Hon. Mr. DANDURAND—If this Bill passes, the salaries as they exist now under the Civil Service Act of 1908 can be continued by resolution of the Senate, and the state of things which faces us to-day will remain exactly as it is, and the whole staff will be governed by the same classification as at present. One of the principal reasons which actuated me in agreeing to this resolution is for the purpose of relieving the Senate from the difficulty we are in, and of freeing His Honour the Speaker from the disagreeable responsibility which rests on his shoulders. I had the honour of being Speaker of this Chamber for four years. The Speaker was not even a member of the Internal Economy Committee. I was one of the happiest men on earth, to feel that the responsibility of dealing with the salaries of the staff, with the yearly increases, the nomination of employees was delegated to a committee of this Chamber of which I was not even a member. My conviction is that it is due to the Speaker of the Senate to free him from the difficulties he is in and the danger of conflict with the Chamber. It would be well to relieve him from the disagreeable work that the Civil Service Act has put upon his shoulders.

Hon. Mr. LANDRY—I am quite ready to earn my money, and if that is the only reason my hon. friend has, though it might help my constitution, what he says is against the constitution of the land. The hon. gentleman knows well that he may have all the rights possible, but he has not taken the legal way to get them. He did not answer a word of my contention that we were amending by this Act a money Bill, the money clause of a money law. I do not want to consult Bourinot, who died I suppose five or six years before the statue was changed, so all the pronouncements of Bourinot cannot apply in the present instance. Five years after his death a new law was accepted by this House, so that what he said of the ancient law cannot apply at all to this new law. Now let me read to you one of the rules of the House of Commons:

Rule 78.—All aids and supplies—

I will not speak of taxes, I am speaking of aids and supplies—

—granted to His Majesty by the Parliament of Canada are the sole gift of the House of Commons, and all Bills for granting such aids, and supplies ought to begin with the House—

—with the House of Commons, evidently—

—as it is the independent right of the House to direct, limit and appoint in all such Bills the

ends, purposes, considerations, conditions, limitations and qualifications of such grants, which are not alterable by the Senate.

What are we doing now? We are now altering the conditions and limitations of those grants given by the House of Commons for the working of the Civil Service Act. We are limiting them. We are striking out the Senate; we are changing the conditions of that law. I do not say the Senate has not the power in this way—as it has the majority to enact this law it may do it—but the members will clash with the privileges of the House of Commons, who claim for themselves the right to amend, to limit, to direct and appoint in all such Bills—the ends, purposes, considerations, conditions, limitations and qualifications of such grants. The hon. gentleman cannot get away from those facts.

Hon. Mr. DANDURAND—I do not think we should continue this discussion. I would draw the attention of my hon. friend to the fact that he has been infringing upon a rule of this House in discussing anew the point that has been settled by this Chamber. On an appeal from the decision of the Chair, the Senate has declared, practically, that this was not a money Bill and that we could legislate upon it. We are now in committee and I do not believe that we can again go into a discussion on this point. There could be no discussion on an appeal from a decision of His Honour the Speaker. We had a vote on it. Now are we not debating uselessly after the decision has been taken?

Hon. Mr. LANDRY—Is the hon. member serious when he says that?

Hon. Mr. DANDURAND—I am. A decision was rendered on this point; an appeal was taken, and the decision was reversed by this Chamber; then the Bill was read a second time. Now between the decision and the appeal there could be no discussion. The decision has been rendered; it binds the Senate; how can we come back upon our decision now at another stage of the Bill, and how can the point again be raised?

Hon. Mr .LANDRY—I shall answer the hon. gentleman as I was answered one day by the member from Toronto—that the decision has been reversed, so there is no decision. Is there a decision?

Hon. Mr. DANDURAND—There is a decision.

Hon. Mr. LANDRY—Well, if there is a decision, why are we discussing to-day precisely the Bill which such a decision was to throw away.

Hon. Mr. DANDURAND—The decision that has been rendered was that of the House, which declared that this was not a money Bill and that the Senate could proceed with it, which we have done.

Hon. Mr. LANDRY—Have I the right to discuss a decision of the House?

Hon. Mr. DANDURAND—To any practical effect, no.

Hon. Mr. LANDRY—I would find it more practical if the hon. gentleman, in place of wandering about, would answer my arguments; that would be more practicable.

Hon. Mr. DANDURAND—Well, I should say no, because on this Bill a decision has been taken; we cannot appeal from the Senate of Canada to the Committee of the Senate.

Hon. Mr. POIRIER—That is right.

Hon. Mr. LANDRY—I am not asking another decision. I do not want to waste my time, to use an expression that was employed here a few moments ago, in getting another decision, but I want to make the point clear that my decision, though reversed, was founded on certain facts, and that I had the facts on my side.

Hon. Mr. POIRIER—I rise to a point of order. I submit that this discussion is out of order. There is nothing before the Chair now pertaining to the present discussion. This matter has been settled; His Honour the Speaker has decided one way and the House has, right or wrong, reversed that decision. Now that question is done with; it is final; it cannot be reintroduced and discussed again. We have been discussing it now for about an hour. I take this objection to the discussion, that it is out of order because there is nothing to warrant it before the House.

Hon. Mr. LANDRY—I have a right to discuss the point of order.

Hon. Mr. BAIRD—The point of order has been appealed to the Chair for decision.

Hon. Mr. LANDRY—Yes, but I have a right to discuss the point of order. The point of order is raised to the Chair, that I have no right to speak on this question.

Hon. Mr. POIRIER—I do not refer to you, Mr. Speaker, more than to the others.

Hon. Mr. LANDRY—Everybody has a right. We are not discussing the decision given by the Chair; we are discussing the amendment and the Bill that is before us. I say that this Bill is infringing on the rights and on the privileges of the House of Commons.

Hon. Mr. DANDURAND—But the Senate has said the contrary.

Hon. Mr. LANDRY—No, no. I will ask the hon. gentleman to withdraw his Bill and withdraw his amendments. Why? Because they are an infringement on the privileges of the House of Commons.

Hon. Mr. THOMPSON—Would you not be willing to permit the House of Commons to exercise its authority in respect to a judgment of the Senate, which says it is not, by a decision of the Senate. Would you not allow that question to be determined by the House of Commons?

Hon. Mr. LANDRY—If the Senate declares that this table is a round table, would it be a round table?

Hon. Sir MACKENZIE BOWELL—No, it would be square.

Hon. Mr. POWER—His Honour the Speaker reminds me a good deal of that Scotchman whom some gentleman had been pressing with an argument which was a very powerful argument, and the Scot said—

Hon. Mr. LANDRY—I think the hon. gentleman should confine himself to the point of order.

Hon. Mr. POWER—There is no point of order.

Hon. Mr. LANDRY—Yes, there is a point of order raised by my hon. friend.

Hon. Mr. POIRIER—Let him tell the story.

Hon. Mr. POWER—If His Honour the Speaker will allow me, I have not taken up much time of the House in this discussion, this Scot said: 'I am open to conviction, but I would like to see the man who would convince me.' Now, His Honour the Speaker is just that kind of a man. I admire a gentleman who is persistent, and resolute in holding his own opinions and convictions; but it does seem to me when an officer of this House finds that his opinion is contrary to the opinion of nearly all his colleagues in the House, that surely he should not insist persistently in trying to force his views on his colleagues instead of accepting their view. That is really the difficulty; I have no doubt that it is just an exhibition of that sort on the part of His Honour the Speaker that has led my hon. friend from Fredericton to introduce the Bill that he has. There are two ways of dealing with parliamentary machinery, just as with every kind of machinery; you can put oil into the machinery and make it work smoothly, or you can put sand in and make it work the other way. I must say that since the appointment of the hon. gentleman who who holds the Chair, he has been assiduously engaged in putting sand into the machinery.

Hon. Mr. LANDRY—I thought the hon. gentleman was an Irishman. I never thought he was a Scot, but is his Scotch story an argument? If the hon. gentleman wants to destroy my argument, and if he wants to convince me—well, he will never convince me with that kind of a Scotch story which he has just told the House.

Hon. Mr. POWER—Or any other kind of a story?

Hon. Mr. LANDRY—No stories at all; what I want is arguments, and the hon. gentleman is not able to give a single argument. He is able to tell Scotch stories, but where is the argument?

Some hon. GENTLEMEN—Question.

The amendment was carried on division.

Hon. Mr. THOMPSON moved to amend the schedule by striking out the words 'or of the Senate' in section 46 of the Act.

Hon. Mr. LANDRY—Would the hon. gentleman give a little explanation to that amendment.

Hon. Mr. THOMPSON—The section reads:

> Nothing in this Act or the Civil Serivce Act shall tend to curtail the privileges now enjoyed, by the officers, clerks or employees of the House or of the Senate or of the Library of Parliament with resepct to rank and precedence or to attendance, office hours, or leave of absence, or with respect to engaging in such employment during parliamentary recess as may entitle them to receive extra salary or remuneration.

By this amendment all that has existed before will exist, and the consequence of the amendment will be to leave absolutely

as they were the privileges enjoyed by the officers and clerks of the Senate.

Hon. Mr. LANDRY—No, that applies only to enjoying any such employment during parliamentary recess; that is the only thing.

Hon. Mr. THOMPSON—Whatever existed under the 46th section of this Act, it would not interfere with the enjoyment of the privileges as they had before. This Act did not interfere with those privileges, and we do not; we just leave it as it was prior to the passing of the Act.

Hon. Mr. LANDRY—If they have any privileges—

Hon. Mr. THOMPSON—They exist. They existed before the Act, and this Act did not interfere with them, and taking out those words leaves them exactly as they were.

The amendment was agreed to.

Hon. Mr. TESSIER, from the Committee, reported the Bill as amended.

PRINTING OF PARLIAMENT.

REPORT OF COMMITTEE ADOPTED.

Hon. Mr. DERBYSHIRE moved the adoption of the second report of the Joint Committee on the Printing of Parliament.

Hon. Mr. POWER—I do not rise for the purpose of opposing the adoption of the report, but I wish to express my regret that the committee had not seen fit to take into consideration the suggestion made by the hon. gentleman from De Lorimier. It will be remembered that when we were discussing a motion that I had introduced, a good deal was said about the waste of money in printing blue-books and distributing blue-books that were not wanted, and that were used for various purposes that were not particularly dignified. The hon. gentleman from De Lorimier made a very practical and wise suggestion. He suggested that at the distribution office a list should be made of the blue-books of the session, and a copy of this list should be furnished to every member of both Houses; the member receiving this list should mark on the list the blue-books which he required, and the number which he required. In that way an immense waste would be prevented. The post office would probably be relieved of the carriage of about half of the blue-books which are now distributed, and hon. gentlemen would not have their offices or other rooms encumbered by blue-books they did not wish to look at. I had hoped the Joint Committee on Printing would have taken some action on that suggestion. I wish now simply to say that I trust at the next session at any rate such action will be taken. It is very desirable.

Hon. Mr. DANIEL—I quite agree with the hon. gentleman from Halifax. The suggestion which the hon. gentleman from De Lorimier made is a thoroughly practical one. It would save a good deal of expense to the country, and a good deal of trouble to the individual members of the Senate. Members would be able to get for their own use what blue-books they needed. It would be impossible for us to need them all, nor would hon. members pay much attention to them except as works of reference. I had it in my mind to make this suggestion myself, and I very readily would support such a suggestion. I got the suggestion first from a clerk in the distribution office, who suggested that that would be a good way to accommodate the senators and members of the House of Commons who had to do with blue-books, so that their rooms would not be lumbered up with a lot of blue-books which they do not need and do not want unless they ask for them. I hope the suggestion will be conveyed to the Committee on Internal Economy. I do not know whether the hon. gentleman from Halifax made a motion.

Hon. Mr. POWER—No, only a suggestion.

Hon. Mr. DANIEL—I think the matter should be referred from the Senate to the Printing Committee.

Hon. Mr. DERBYSHIRE—The committee orders that the several documents referred to on the pages 674 down to 711 should not be printed. We struck everything out right straight through, and only a few of the documents that were really necessary were ordered to be printed. I am sure the Committee on Printing has done everything possible to curtail the cost of printing. All these pages were struck out.

Hon. Mr. TAYLOR—I have been a member of the Joint Committee on Printing, I was formerly a member of the House of Commons Printing Committee, and am now a member of the Printing Committee of the Senate. I know that there is a great expenditure of money in printing which is useless, and I give notice that at the next session of Parliament I shall move that a special committee of this House be ap-

pointed, and that we shall ask the other House to appoint a special committee to meet with them, and go into the whole matter, because I know there are thousands of dollars wasted in printing blue-books, and the way to do it would be to have a joint committee of both Houses to deal with the matter.

Hon. Mr. WATSON—I am in hearty sympathy with the remarks of the hon. gentleman from Halifax. I do not think he took exception to the work done by the Printing Committee.

Hon. Mr. POWER—No.

Hon. Mr. WATSON—I think he referred more particularly to the annual reports of the different departments distributed every year. It had nothing to do with the Printing Committee's order for sessional papers. Members who have been here a good many years understand that there are tons and tons of paper sent out to members and they are never used. A great many of them remain in the post office because some members give instructions to postmasters not to deliver them to their addresses. I have suggested to the Printing Committee something along the lines of the suggestion made by the hon. gentleman from Halifax that the members should be supplied with blue-books to which they wish to refer. At present we receive very many books. For instance I get the marine reports. I am not interested in them. Some provinces are not interested in certain reports at all, and other provinces are. I think if the suggestion of the hon. gentleman from Halifax were adopted, whereby each member would mark off a list of the reports of different departments he wished to have sent to his address a great saving would be effected, and there might be a couple of hundred extra copies printed, to be there on call, but I think members would cheerfully mark the list with the different reports they wish to have sent to them, and the remaining reports could be eliminated.

BILLS INTRODUCED.

Bill (113), An Act to regulate Cold Storagre Warehouses.—Hon. Mr. Lougheed.

Bill (176), An Act to make further provision for bounties to volunteers who served the Crown during the Fenian Raids.—Hon. Mr. Lougheed.

The Senate adjourned until Monday next at 11 a.m.

Hon. Mr. TAYLOR.

THE SENATE.

Monday, June 1, 1914.

The SPEAKER took the Chair at Eleven o'clock.

Prayers and routine proceedings.

EXPLOSIVES BILL.

REPORT CONCURRED IN.

Hon. Mr. YOUNG, from the Committee on Railways, Telegraphs and Harbours, reported Bill (189), An Act to regulate the manufacture, testing, storage and importation of explosives with amendments.

He said: One of these amendments is clerical; the other is to give the option of imposing fine or imprisonment, or both, in case of a violation of the law. The amendments are all restrictive and in that regard in the right direction. As the Bill has been delayed through the courtesy of the Government in sending it to the Railway Committee in order to give parties who are interested a hearing, I move that the rules be suspended in so far as they relate to this report.

The motion was agreed to, and the report was concurred in under suspension of the rules.

BUSINESS OF THE SESSION.

MOTION.

Hon. Mr. LOUGHEED moved that from today and until the end of the session, Rules 23f, 24a, b, d, e, and h, 63, 119, 129 and 130 be suspended in so far as they relate to public or private Bills.

He said: I wish to change that to read, 'from now until the end of the session.'

Hon. Mr. BOSTOCK—We have not heard from the Government yet as to what legislation is still to be brought down. The hon. gentleman put this notice on the paper last week. We allowed the other motion for the morning sittings to go through, and we found on Saturday that practically there was no work for us to do, and, therefore, did not meet on Saturday afternoon. In view of the progress of the public business, the hon. gentleman should not press his motion at the present time. We are willing to facilitate the transaction of the business of the country, but in view of the important legislation which is yet to come before us, and other legislation of which we have no knowledge yet, but which may be brought down before the end of the session, I do

not think we should be asked to pass this motion without fuller information.

Hon. Mr. LOUGHEED—My hon. friend is probably as familiar as I am with the Bills which will come down before prorogation, and will be able to form his own conclusion. There will come before the Senate the Bill making provision for aid to the Canadian Northern Railway Company, which is expected to reach this House to-day. There is a Bill dealing with Naturalization, which is expected to be submitted to us during the present session, the Redistribution Bill, and possibly a Bill making provision for further aid to the National Transcontinental railway. As to the latter, I am not prepared to speak with any definiteness. Then there is the Bill known as the Farmers Bank Bill. That will be the programme to be submitted to us before prorogation. Why there should be any objection to the passing of this motion, I am at a loss to understand. Of course, every hon. gentleman has a perfect right to exercise his own discretion as to these matters, but inasmuch as my hon. friend's friends are largely in control of the House, it seems to me that it would be rather difficult for the Government to force any business through to which they might be averse. The matter is very largely in their own hands, and it is only for the purpose of facilitating the business that will come before us that I offer this motion. I do not think there is very much doubt about Parliament proroguing during the present week; it would seem to me to be quite probable. Do I understand that the hon. gentleman is opposed to this motion?

Hon. Mr. BOSTOCK—At the present, yes. There is no intention on our part to cause undue delay in this legislation going through. At the same time, we want to have sufficient time to discuss and understand the important legislation that is coming before us, a great deal of which has not yet been brought down. I should like to call attention to a notice which appeared in one of the Government organs the other day, that prorogation is not looked for before Tuesday of next week. Although cards have been sent out for the prorogation, the organ of the Government should be in a better position than we are to judge when prorogation will take place. I would prefer the hon. gentleman should not press his motion at the present time.

Hon. Mr. CLORAN—In view of the statement of the leader of the Government, given now for the first time to the Senate, of the ministerial measures to be brought down to this House, we should hesitate before suspending the rules. He has given us a number of most important measures that will demand consideration for probably days and weeks. If the Redistribution Bill is going to be a fair measure, it will go through easily; if unfair, it will not go through at all, if I can help it. That is plain English. I will have no rules suspended for that Bill. It is one of the most important measures affecting the public welfare, and the Senate should have every opportunity to give it full consideration.

The Government cannot be serious in asking the Senate to cut its right arm off, and sanction a measure when we do not know what it contains,—although it may be a fair measure. If it is a fair measure it will be sanctioned by this House, but if unfair, it will be opposed in every possible way. Then we will have the Farmers' Bank Bill. The leader of the Senate is in sympathy with the leader of the Government, in that he is opposed to the principle of that Bill. I asked the question on the floor of this House whether the Prime Minister approved of and endorsed the principle in the Farmers' Bank Bill introduced by the Finance Minister. The leader of the Government was wily enough not to give a straight answer. His reply to me was 'Well, no measure will be brought down unless there is unanimity in the Cabinet.' That was an evasive answer. My question was straight and pointed: is it not a fact that the Prime Minister of Canada is opposed to the principle contained in that Bill? The question has not been answered. I believe the leader of the Government in the Senate is opposed to the principle, but there has been some conciliation in the Cabinet, some give and take. I understand that phase of the question, but the people of this country want to know whether the Government as a whole, as a unit, is endorsing and approving of that measure. I say no, they are not. I have no personal knowledge of this but I have a consciousness of the honour and honesty of the leader of this House and the Prime Minister of this Dominion, and if he had a free hand he would say no. The principle of recouping losers in any financial transaction by the Dominion Government out of the people's money is a wrong principle, and I may go further and say that what has

forced the Cabinet to accept this Bill is the fact that the depositors of the Farmer's Bank are men—

Hon. Mr. LOUGHEED—Would my hon. friend postpone his remarks until we bring down the Bill? I should be very sorry to see him on this occasion exhaust all that he has to say.

Hon. Mr. CLORAN—Oh there is more—the worst is yet to come, but I have no objection to postpone the remarks. It is out of sympathy with the leader of the Senate and the Prime Minister that I am speaking.

The SPEAKER—The motion will stand.

Hon. Mr. CLORAN—But I have more to say.

The SPEAKER—I declare that the motion will stand.

Hon. Mr. CLORAN—All right.

The motion was allowed to stand.

LOSS OF THE EMPRESS OF IRELAND.

Hon. Mr. CLORAN—Before the orders of the day are called I wish to draw the attention of the leader of the Government here to a very sad and regrettable incident with regard to the catastrophe which happened last Friday night in the St. Lawrence river. I do not hold the Government at all responsible, but I would like to give them an opportunity to dissociate themselves from it. It is this fact. One of our esteemed citizens of Ottawa, Mr. Black, chief officer of the J. R. Booth Company, was taken out of the waters of death, and placed on the Government steamer practically nude. On coming to himself he applied to a Government employee, a Government officer in charge of the wireless, system, and asked that Government employee to send a message to his family that he had been saved. That Government employee declined most positively, and if I may use the words most brutally and most inhumanly, to send that message unless Mr. Black put spot cash on the counter. Now if that was not brutal, if that was not inhuman, I would like to know what it was. Mr. Black was taken out of the waters practically nude, in his night shirt or pyjamas, and he could say to the Government employee, 'The money I have had is at the bottom of the sea, in the deep waters of the St. Lawrence, and you will not send the message'? 'No, not without being paid beforehand.' This fact has gone to the world, and will be connected with the administration of our public affairs, and civilized people will ask, 'How is it that in a civilized country like Canada one of its officials, one of the Government employees, should be maintained in office in spite of such an inhuman and brutal act? What I desire is to give the Government an opportunity to dissociate themselves from the act of that employee, for which I do not hold the Government responsible. It is the duty of the Government to see that such an act shall not go unnoticed, and if necessary, unpunished, so that the good name of Canada shall be maintained among the civilized people of the world. It is a regrettable thing to have to bring up, but it is better to nip in the bud such a reflection on our administration of affairs. The operator may have acted hastily, but it is not a question of haste; he positively declined, and we have it on the word of Mr. Black, published in to-day's papers. The Government ought to take some action either to reprimand or censure, or at least dissociate itself from the act of that Government employee on a Government steamer controlled by the Government. I call the attention of the Government to the fact in order to give them an opportunity to do so. If they do not do so then they remain jointly responsible.

CIVIL SERVICE AMENDMENT ACT.

THIRD READING.

Hon. Mr. THOMPSON moved the third reading of Bill (B-3), An Act to amend the Civil Service Amendment Act, 1908, as respects the Senate of Canada.

Hon. Mr. DE BOUCHERVILLE—It seems to me that regulations are made in every organized society by the society itself. Are we going to ask the House of Commons to pass a law by which we shall be governed? Are the laws and rules of the Senate not to be passed by the Senate itself? Are we going to ask leave of the House of Commons to pass a law which does not regard them at all and only regards us? From what I can see, according to reason, it should not be done.

Hon. Mr. POWER—Before the question is put it is not necessary to call the attention of the members of the House to the fact—because I suppose they have already been made aware of it—that it has pleased His Honour the Speaker to take a most unusual course in connection with this measure. I leave everything that happened

up to Friday out of question; I have been informed that His Honour has addressed a circular letter to the employees of the Senate asking their opinions as to the effect of this Bill, as to whether they would prefer to remain under the Civil Service Act or to be placed in the position in which they would be placed by the passing of this Bill into law? Now it seems to me that that is a most extraordinary, a most unusual proceeding to take. I cannot understand what can have induced His Honour the Speaker to take such a course as that. Hon. gentlemen will see that it puts the employees in an awkward position. If an employee—

The SPEAKER—I call the hon. gentleman's attention to the fact that this motion is for the passing of the Bill.

Hon. Mr. POWER—Certainly.

The SPEAKER—Well, if the hon. gentleman wants to put the Speaker under accusation, let him take the proper way.

Hon. Mr. POWER—I am taking the proper way.

The SPEAKER—The hon. gentleman is entirely out of order.

Hon. Mr. POWER—I am speaking to the motion.

The SPEAKER—If the hon. gentleman wants to put the Speaker under accusation let him do so openly.

Hon. Mr. POWER—The Speaker can reply, but every member of this House has a right to speak on the motion that the Bill do now pass.

The SPEAKER—Yes, but he must keep to the question.

Hon. Mr. POWER—I am speaking to that motion, and I have a right to speak. I have a better right to speak than His Honour the Speaker has to interrupt me.

Hon. Mr. WATSON—Hear, hear.

The SPEAKER—The hon. gentleman has no right to attack the Speaker on a motion for the passing of a Bill.

Hon. Mr. POWER—It is easy to see the awkward position the employees of this House are placed in by that circular letter. If an employee says: 'I am not satisfied, I should like to go back to the old system,' then, as the Bill will not pass this session, this employee is exposed, perhaps, not to be treated with very much consideration at another session. If the employee says the other thing, and this Bill or one like it should become law next year, he is still placed in an awkward position. I say that His Honour the Speaker could not have considered the effect of this circular when he sent it around; it is altogether undignified and out of order for the Speaker of the Senate to send such a circular to the employees of the House.

The SPEAKER—Is it your pleasure, hon. gentlemen, to pass this Bill? (After a pause.) Carried on division.

Hon. Mr. POWER—There is no division.

The SPEAKER—There is a division.

Hon. Mr. POWER—Where?

The SPEAKER—On my part. I ought to count as much as the ex-Speaker.

Hon. Mr. POWER—I think it requires two to make a division.

The SPEAKER—The hon. gentleman is again wrong. He must realize that he has not all the right on his side, I am not alone of that opinion.

The motion was then adopted and the Bill was read a third time.

THIRD READINGS.

Bill 193. An Act to amend the Act respecting the National Battlefields at Quebec.—Hon. Mr. Lougheed.

Bill 200, An Act to amend the Yukon Placer Mining Act.—Hon Mr. Lougheed.

Bill 201, An Act to amend the St. John and Quebec Railway Act.—Hon. Mr. Loughhead.

Bill 83, An Act respecting Loan Companies.—Hon. Mr. Lougheed.

COLD STORAGE BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill 113, An Act to regulate Cold Storage Warehouses.

He said: This is a Bill making provision to give authority to the Minister of Agriculture to make regulations as to cold storage. My hon. friend from Gananoque (Hon. Mr. Taylor), who is not in his place, introduced a similar Bill last session and there was likewise a similar Bill introduced in the House of Commons. The Government upon making inquiry into the matter and giving consideration to it, have concluded that the matter can be better carried into effect through regulations that will be framed upon the advice of experts who are familiar with the entire subject.

Hon. Mr. BOSTOCK—I cannot congratulate the leader of the Government exactly on the explanation he has given on this Bill. It would have been of interest to know what the idea of the Bill is. This question of cold storage is one that has been exercising the minds of the people a good deal from one end of the country to the other. There has been a great deal of discussion of the way goods are handled after they get into cold storage, and the way cold storage warehouses have been operated, for the purpose of creating almost, I might say, a combine or trust, in the matter of food. We ought to have some explanation as to how the Government intend to deal with the question of these operators of cold storage warehouses who buy up large quantities at one time, and in that way keep up the price of food, and then when they have got this food—such things as eggs and other produce into their cold storage warehouses—and the time of year comes about when that class of goods is not as plentiful as it is at certain seasons, they continue to keep up the price, because they practically have control of the whole situation.

That is a question which interests the public very greatly to-day, and has an application to the subject of the high cost of living, which is also being brought home closely to the general public. Without further explanation I do not see how the House is going to understand what the effect of this Bill will be. The framing of these regulations, I notice, is to be left in the hands of the Governor in Council. We have objected on several occasions to leaving so much in the hands of the Governor in Council. It is very much better that the regulations, when decided upon, should be submitted to the House for confirmation, and so give the House an opportunity to discuss them and understand how they are going to be operated.

Hon. Mr. YOUNG—I notice, too, that in clause 4 of the Bill, especially in sub-clause (d), provision is made for limiting the periods of time for which products may be held in cold storage. We have two classes of cold storage in the country. One class purchases the stores; the other stores only. How are existing contracts to be dealt with if regulations are passed which will interfere with them? The suggestion made by the leader of the Opposition is a good one. Parliament ought to know before the regulations become law what is proposed.

Hon. Mr. LOUGHEED.

Hon. Mr. LOUGHEED—My hon. friend will readily appreciate the fact that Parliament will have less knowledge about what should be done upon a subject of this nature than experts who have made inquiry and are familiar with the entire subject. The question of regulating cold storage is new in Canada; we have not entered upon a policy of this kind up to the present time. The policy of the Government has been to promote, as far as possible, the establishment of systems of cold storage, and in a measure they have granted aid thereto.

Hon. Mr. YOUNG—Not to all.

Hon. Mr. LOUGHEED—No, I will not say to all, but we have begun in a modest way, with a view of promoting that kind of industry. There has been the question discussed for sometime past as to the regulation of cold storage. Public attention has been directed to the necessity of proper supervision being exercised by the State over the conduct of those institutions. I know of no more effective way of dealing with the subject than to do it by regulation. It would be impracticable to bring down a comprehensive measure before Parliament, dealing with every phase of the subject, and have Parliament pronounce on something about which it would know very little. This is a question which should be dealt with by those who have given special attention to the examination of such matters. What we propose to do is to make a comprehensive examination of the whole subject, to place the matter in the hands of competent experts who will advise us as to what should be done, and then crystalize their recommendations into regulations, and to enforce those regulations as far as possible. The Bill is sufficiently specific in itself as to the class of subjects upon which regulations will be passed. There has been a very wide divergence of opinion as to how far we should go in dealing with this subject. The limitations as to the authority to be given us are embodied in the Bill, and I feel justified in saying that the adoption of a series of regulations dealing with the various classes of subjects set out in the Bill will result in the establishment of a proper system, under State control, to regulate the conduct of cold storage warehouses.

Hon. Mr. YOUNG—There is one thing remarkable; this has been before the Govern-

ment a year, and we are yet without information as to what these regulations are likely to be.

Hon. Mr. LOUGHEED—The Bills to which the hon. gentleman referred were brought in by private members, and were of a very drastic character. The Government has taken up the whole subject and considers they are justified in proceeding to the extent of the Bill.

The motion was agreed to, and the Bill was read the second time.

FENIAN RAIDS VOLUNTEER BOUNTIES BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill 176, An Act to make further provision for bounties to volunteers who served the Crown during the Fenian raids.

Hon. Mr. CLORAN—Explain.

Hon. Mr. LOUGHEED—This is a continuance of the legislation heretofore placed on the statute-book for the purpose of granting bounties to whose who served in active service during the time of the Fenian raid. The provision made by the former legislation has met with so warm a response, particularly in the province of Nova Scotia, that the Government is compelled to continue the legislation with a view to winding up the matter at an earlier date.

Hon. Mr. BOSTOCK—Will the leader of the Government tell us how much has already been expended under this legislation? I understand that not only have the Government already had a large number of applications, but that the number is increasing as this legislation becomes better known. Only a short time ago when I was in British Columbia two men came to me and said they had been enrolled in Quebec, and thought they had very strong claims on the Government to be considered in the matter. I have no doubt other members of this House have other cases through the country. I should like to have some idea where this is likely to stop.

Hon. Mr. YOUNG—It is easy to see that the Fenians had no show when they invaded Canada.

Hon. Mr. LOUGHEED—The patriotism in Nova Scotia at the time was so peculiarly marked that it seemed to be difficult to exhaust it.

Hon. Mr. POWER—Nova Scotia is in the lead all the time.

Hon. Mr. CLORAN—This legislation, not only to my mind, but to a vast majority of the people of this country, amounts to a farce. The idea of providing bounties fifty years after the event is childish, from one point of view, and foolish from another point of view. It is foolish from the point of view of the Government, insomuch as they are actually throwing the people's money away. Who are the volunteers who have not received all that was coming to them during the past fifty years? Where is the necessity to provide now for further bounties? The Fenian raid took place in 1866. That is forty-eight years ago. How old were the volunteers? Were they all kids, young scouts, or were they men of the age of 21 to 30, 40 and 50, who served their country at that time. If they were they ought to be all dead by this time.

Hon. Mr. LOUGHEED—Not if they insist upon living.

Hon. Mr. CLORAN—Notwithstanding our insistence on living, it does not count for much at times. The Bill provides for those who were called out. Are the people of the present generation, people who have come in during the past 50 years, who have been earning their bread by the sweat of their brow opening up the West and clearing our forests, to be called upon, half a century after, to pay bounties to men who never turned a finger in defence of their country? What does the Government mean? Will not the people of the West, the new people who come in here, and the old people in the provinces of Ontario and Quebec, ask an account from the Government in regard to throwing away the people's money in this fashion? What does the Government mean? The Fenian raid was a farce. It never amounted to shucks, and yet the Government 50 years after it is over, provides by parliamentary Act money for men who never left their farms or homes, never left their work—

Hon. Mr. BOYER—But they might have been called.

Hon. Mr. CLORAN—They might have been called! Am I not justified in describing this legislation as a farce? When is the curtain going to ring down on the farce? Does the Government want to turn this thing into a vaudeville show, with half a dozen acts, and dances between the acts,—a moving picture show? It is absurd on the face of it. It is too late now in the session to have the Bill thrown out, but let the voice of the people be heard through mine,

that they do not thank the Government for this legislation, for giving their good money to men who never earned it,—I shall go further and say, to men who are a disgrace to the country in claiming money they did not earn. It shows what kind of volunteers they were,—never out in the field. We have no definite information from the Government. As has been asked here, what amount has been paid out since 1866 under this legislation? We have no information whatever, and the next information that we are entitled to would be, how many more are going to come and claim a bonus. I would not be surprised if some of the Doukhobors put in a claim or some of the Galicians or Poles, and that their claims would be acknowledged just as well as the bona fide claims. I hold that this legislation should never have been introduced. It is rather late in the session to make an effort to have it thrown out, but if some hon. gentleman will second my motion I will move that the Bill be not now read a second time, and will test the House on the question, and ascertain whether the Senate is in sympathy with the feeling of the people in regard to this matter. If I have sufficient backing I certainly will make the motion.

Hon. Mr. GIRROIR—The hon. gentleman should make a motion for an amendment, if he intends to oppose the measure and not make threats. Let him be a man or a mouse.

Hon. Mr. CLORAN—I am glad I am not the cat.

Hon. Mr. GIRROIR—The hon. gentleman is afraid to make the motion.

Hon. Mr. CLORAN—I am not afraid to make a motion, but this is not the time to make it, as the hon. gentleman would know if he understood anything about parliamentary procedure. I could move the six months' hoist now, but I desire to obtain the information I am seeking from the Government. If I receive the information, I may have no motion to make at all. If the Government can give solid and valid reasons for putting this measure through, I shall not move against it, but I say that under the circumstances that we have nothing to justify us in passing this Bill. The hon. leader may produce the necessary information to-morrow, and if he does not produce that information and give us the reasons which would justify the passing of this Bill, it will be an opportune moment to move an amendment. And as I said, if I find backing in this House I shall certainly move. There is no threat or menace in that.

Hon. Mr. GIRROIR—The hon. gentleman who has just taken his seat has spoken in very strong and unjustifiable language against this Bill, and he has gone out of his way, it seems to me, to discredit this measure in such a manner as seems to involve members of this party in the House of Commons. He says that this is a moving picture show, and he uses some very eloquent language in describing it. Well, if it is a moving picture show, the hon. gentleman's friends in the Lower House, the members of the Opposition, seem to me to be very much in the picture; because when this Bill was introduced in the lower House, although hon. gentlemen had a good deal to say about it, not one of them had the courage to oppose it. Now it comes up here, and the hon. gentleman from Victoria division says that the Bill is a farce, that it is a moving picture show, that it is a disgrace; and he looks around and asks if there is any one present who would be prepared to second his motion in opposition to the Bill.

Hon. Mr. CLORAN—I made no motion.

Hon. Mr. GIRROIR—The hon. gentleman asked the hon. member beside him if he would be ready to second a motion of that kind; he spoke quite loud and everybody heard him. He said, 'If you are ready to second my motion I am ready to make it.' Apparently he worked up his courage to a certain point, where he was prepared to make a motion if he could get anybody to second it. But finally, on thinking the matter over more carefully in his own mind, he decided to drop it and with it his opposition to the Bill.

Hon. Mr. CLORAN—I did not cease my opposition; when I withdrew I was speaking on the supposition that the Bill was up for its third reading, and I would then have to make a motion, but the member from Alberta or Manitoba whispered to me that it was only the second reading, and then I withheld my motion. The hon. gentleman should not put me in a false position knowingly, and especially when the facts are plain before him.

Hon. Mr. POWER—Order, order; let the hon. gentleman finish his speech.

Hon. Mr. GIRROIR—I am sorry that I have no hon. member beside me to prompt me when I go wrong; the hon. member is especially fortunate in that regard; when he gets in a hole he apparently has some-

body to keep him right. I do not think, however, that the hon. gentleman is exactly right yet. This is the second reading of the Bill, and although I am not as well posted in parliamentary procedure as I should be, it does not seem to me that some motion in opposition to the Bill cannot be made to the second reading.

Hon. Mr. CLORAN—Certainly it can.

Hon. Mr. GIRROIR—The hon. gentleman did not make such motion, in spite of the assistance he received from his prompter. I do not wish to detain the House at any length, but perhaps I might say a few words in favour of this measure. At the time of the Fenian raid this country was threatened from without. It may be that the danger was not very great, but the people of the country all over showed their willingness to stand up and defend their country if an attack were made. In the province of Nova Scotia the Government issued a proclamation calling up all persons who were members of the militia of that province, and all those liable to do militia duty in the province, to turn out for active service as in time of war. There was a splendid response to that proclamation. Men from sixteen to sixty years of age gathered in all parts of the country and drilled and prepared themselves to defend their homes in case of an attack. Now, the hon gentleman who speaks against this Bill may be more patriotic than I am, and may have a greater grasp of the situation of this kind, but it does appear to me that those men, in that very act, showed a loyalty to their country which ought to be appreciated and for which appreciation ought to be shown. At that time the country was sparsely settled, the men had to travel many miles, in many cases on foot, and spend days drilling at a time of the year when the weather was very cold and stormy. The Government is right in giving those men some recognition. We may not all see eye to eye as to the causes which led to this Fenian raid, we may not all be in sympathy with those who opposed it, but every man—no matter what his antecedents may be—should be in a position to say when he lives under a flag and in a country 'This is my flag, this is my country, and I am prepared to stand up in defence of that country.' If the hon. gentleman's arguments were to hold good, then when a country is threatened with invasion the people should sit back and take a few weeks to decide whether the invasion was serious or not, and they should not prepare themselves to resist the invasion—because it might not be a serious one—by every means in their power. There can be no possibility of doubt that the Fenian raid was believed to be a serious attack. Not long ago I was talking to one of the old colonels of a regiment of 1866 in Antigonish county, and he told me that, at that time, the matter was deemed so serious that when he received instructions from the heads of the militia in Nova Scotia to call out his men he wrote back to the head of the militia and asked: 'What shall I do if any of those men refuse to turn out, or to march?' He received the reply, 'Shoot them dead on the spot.' His business was to call out the militia, and if any of those men had refused to march when ordered to do so, or had refused to drill, he was to shoot them on the spot. That was the situation Nova Scotia had at that time. There was great excitement all over the province, and all over the Dominion of Canada, and the people of Nova Scotia and of the whole Dominion responded to the call of their Governors and to the heads of the militia, and were ready to fight for their country; and I believe the Government is right in giving recognition to those men as it is now doing. It is true that the present generation was not involved in that matter, but perhaps, if the older generations that have passed away had not been ready to fight, if necessary, for the defence of our common country, we should be under some other flag to-day; we might not now be Canadians at all, and members of the greatest empire that the world has ever seen.

Hon. Mr. MURPHY—Before this Bill is read a second time I wish to point out an evident discrimination against the province from which I come. This has been pointed out in the House of Commons, and to my mind it is an evident injustice. With the Bill itself I have no quarrel, and the remarks of my hon. friend from Victoria division (Hon. Mr. Cloran) are rather ill-timed, for when a Bill passes with unanimity in the House of Commons, it is not in keeping with the dignity of this House to cast a reflection on the legislation. This Bill only applied to the upper provinces of Canada and the province of New Brunswick. Nova Scotia has since been incorporated, and it was very well said that the number of claims that are on file down in the Militia Department for bounties under this Bill is an exemplification

of the patriotism of the people of that province. But I contend that our province has or should have as much right for bounties under this Bill as any other province of Canada. The province of Prince Edward Island is debarred on a technicality; the gallant Minister of Militia in framing the Bill has declared that the militia must have been called out by a proclamation in order to come under the benefits of the Act. Unfortunately our citizen soldiers, or those who were called out at that time, were not called out by a proclamation of the Government, but under the regulations of the Militia Department as it then existed in the province. Now it would seem to me that men who were called out to prepare to repel this invasion, which was never very formidable to my mind, as long as they were called out under existing regulations in a province, should be treated in the same way as those who were called out by proclamation. In other words, nobody should be barred from the benefits of this Act on a technicality. My hon. friend from East Prince (Hon. Mr. Yeo) will remember the events in connection with this raid and how in various places in his own county and in other places in the province, the militia was called out under the regulations of the department to drill for some time in preparation for going to the front, if that were found to be necessary; I was too young at the time to remember those events clearly. I would draw the attention of the hon. leader of the Government to this matter, and would ask him to have some information, on the third reading of the Bill, as to why an amendment cannot be inserted so as to include those who were called out under Militia Regulations in the province of Prince Edward Island at that time.

Hon. Mr. YEO—I quite agree with what my hon. friend has said, and it is quite within my recollection that the militia of Prince Edward Island was called out at that time and performed drill. I happened to be an officer of the militia at that time, and not very long ago I was looking at the list of the company, and I know that some of the members are still alive. I can see no justice in exempting Prince Edward Island from the provisions of the Bill. We did precisely what they did in Nova Scotia, and I see no reason why we should be excluded from participation in what the other provinces are now getting. I hope the hon. leader of the Government in this House will bear this in mind and see if Prince Edward Island cannot be included in the Bill, as it has every right to be.

Hon. Mr. McKAY (Cape Breton)—I think that I shall be able to give you a clear understanding in regard to the matter which has just been discussed. This matter in regard to the province of Nova Scotia is altogether different from the other provinces that were involved in the Fenian raid. This was prior to Confederation in 1866, and the province of Nova Scotia, prior to Confederation, had a thoroughly organized militia system and militia organization. The active militia was composed of men from sixteen to forty-five; they were well equipped and drilled, and their officers had also to take special training, they had been supplied during several years with instructors by the imperial service, and those officers had to pass examinations qualifying them to command companies and regiments. Thus the militia of Nova Scotia was in a position to be able to go into active service, if necessary, and perform their duties in accordance with well-organized military discipline. That was the condition of the militia in Nova Scotia prior to the Fenian raid, and prior to Confederation. At the time the Fenian raid took place, the province of Nova Scotia was under the control of a distinguished military gentleman who was recognized all over the British Empire as perhaps one of the foremost men who has ever occupied a position in the service of the country. I refer to Sir William Fenwick Williams, the hero of Kars. He was Governor of the province of Nova Scotia at that time, as well as Commander-in-Chief of the forces. The Government received information at that time that there was a determination on the part of people outside of Canada to make a raid upon certain ports in Canada, and to raid the upper provinces, Quebec, and the Maritime provinces as well. An organized band had gone on to the island of Campobello, in the immediate neighbourhood of Nova Scotia, and established themselves at that point, prepared to raid. Sir William Fenwick Williams received information that it was more than likely that a raid would be made, and the presumption was that the Annapolis valley would be the point aimed at. That valley at that time was the richest portion of Nova Scotia, and a raiding party would go through that section of the country destroying property, and would meet with absolutely no re-

sistance—providing they were allowed to do so—and without any notice being taken of their movement. Recognizing that fact fully, the Lieutenant Governor, Sir William Fenwick Williams, decided at once to issue a proclamation and call out the effective militia of Nova Scotia, the men from sixteen to forty-five, who were armed and equipped and ready to take the field on short notice. He called them out on Royal Proclamation, which was dated the 17th March, 1866, and the portion belonging to the active militia responded promptly to the call. When my hon. friend asks what kind of men these were, when they would take $100, I can answer that they were not looking for any $100 at that time, nor were those men looking for any $100 until the action which they performed had been recognized by the Government, and the Government decided to reward them for their action. I can tell my hon. friend from Victoria division that he never saw a finer body of men than the men from sixteen to forty-five who turned out at that time. Such was the condition of affairs in Nova Scotia, even as far back as 1866, that ten thousand of those men could have been thrown into the Annapolis valley in seventy-two hours, and it would be pretty hot for those who would undertake to raid that valley, I can assure him. But, in addition to that, the officers of the militia were informed by His Excellency Sir William Fenwick Williams that there were complications likely to arise in other parts of Canada, and it was likely that the imperial troops would be called away from the garrison at Halifax. That garrison had about 5,000 troops, composed of artillery, engineers, etc., and they were informed that it was more than likely the militia would be called upon to garrison Halifax in the event of the imperial troops being called from Halifax, in case of complications arising in other parts of Canada. Therefore, you will see that it was not so much in order to defend the province of Nova Scotia alone that this action was taken. It was taken by a far-sighted imperial military man, who well understood the condition of affairs at that time, and who, through the Intelligence Department, was well informed as to what was likely to take place. Taking time by the forelock, he called out in that proclamation 45,000 men in Nova Scotia, ready to take the field in 24 hours. No doubt if there were any tendency on the part of parties outside of Canada to attempt to invade, they realized the fact that a country that could draw out 45,000 men ready to take the field in 24 hours, well equipped, with well trained officers, was something to reckon with. The raid did not amount to anything, possibly because the people who proposed it realized what they were up against, and what they would have to face. I would even go further and say that the people who were in sympathy with the raiders at that date—and we have an idea who they were—would very soon realize that a country able to summon to its flag and assistance such a magnificent body of men as could have been turned out in Nova Scotia and elsewhere in Canada at that time, was a country that was to be reckoned with. The action of Sir William Fenwick Williams in Nova Scotia, in throwing such a large body of men out ready to take the field, had its effect on the whole of Canada and on all the British possession in North America. They realized that they had good backing, and they realized no harm could come their way, that a well equipped and armed force was ready to defend them. As far as Prince Edward Island is concerned, I have every sympathy with the men of Prince Edward Island who took part in the training at that time, but it was somewhat different with them. This all took place in the month of March, and I will bring to the notice of my hon. friend from Tignish (Hon. Mr. Murphy) the fact that Prince Edward Island itself was not exposed to any particular danger at that time, for the reason that as it was surrounded at that season of the year by ice, it was impossible to invade it. Nevertheless the province of Prince Edward Island should be included with the rest of the Dominion. Their militia were called out, but not under the same conditions as the province of Nova Scotia. They were called out organized and trained and are certainly entitled to some compensation for their loyalty and for their sacrifices at that time. I am speaking with some knowledge of the facts of the case. I was an officer of militia at the time, and in touch with what was going on. I was in communication with the authorities at headquarters of the militia of Nova Scotia, and detailed by headquarters to perform certain duties in connection with the militia of Nova Scotia. And therefore I speak with some knowledge of what took place and I say, as far as the men comprising that force are concerned, they never took up arms with any

expectation that they would get any reward. They did it entirely as a matter of loyalty to the British flag. Now long years afterwards, after a great many of those men have paid the last debt of nature, when a few who were young like myself at that time still live to receive the reward offered by the Government, they should not be condemned. My hon. friend from Victoria division seems to think that this whole raid was a farce. I suppose the hon. member is a good deal older man than I am, and possibly may have had some knowledge of what was transpiring at that time. He may have been one of those fellows who were on the other side of the fence watching me, and may have had his gun ready in case the bugle sounded; he may have been prepared in the clash to take a pot shot at me; but, years have gone by, and out of respect to the gallant boys who responded to the proclamation of 1866, my hon. friend from Victoria division is a too generous hearted Irishman to find fault with those who are now being rewarded for their patriotism.

Hon. Mr. CLORAN—The hon. gentleman has asked me a question.

Some hon. GENTLEMEN—Order, order.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman has already spoken.

Hon. Mr. CLORAN—I shall answer the hon. gentleman in Irish fashion by asking another question: does the hon. gentleman contend that the present Dominion of Canada is to be held responsible for the debts of countries that did not belong to the Dominion of Canada at the time they were incurred? What I mean is this—

Some hon. GENTLEMEN—Order, order.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman has already spoken.

Hon. Mr. CLORAN—I had the permission of the House—

The SPEAKER—The hon. gentleman is out of order. It is useless to have rules if we do not follow them. If this House wants to keep order, then order must be observed.

Hon. Mr. CLORAN—I asked permission of the House to speak. When I rose to speak the hon. gentleman interrupted me.

The SPEAKER—The hon. gentleman is out of order.

Hon. Mr. CLORAN—But I got permission—

The SPEAKER—The hon. gentleman is out of order.

Hon. Mr. CLORAN—How shall I get in order?

The SPEAKER—By keeping quiet.

Hon. Mr. CLORAN—That I cannot do under the circumstances.

The SPEAKER—The hon. gentleman is entirely out of order. He made his speech and he has no right to speak again. If he wants to put a question let him do so through some other person.

Hon. Mr. CLORAN—I have asked permission of the House.

The SPEAKER—The hon. gentleman has not the permission of the House. He knows the rules very well.

Hon. Mr. CLORAN—I have the permission of the House.

Hon. Mr. WATSON—Before this Bill goes to Committee of the Whole I should like to have some explanation as to why the men who actually did turn out in Manitoba and repel the Fenians are not included in this definition? It seems a ridiculous state of affairs that some forty-eight years after this supposed Fenian invasion in some parts of Canada, by a few hundreds irresponsible people across the border, legislation should be brought down to pay a bounty of $100 to each man who belonged to the militia of Nova Scotia at the time, simply because the noble soldier referred to issued a proclamation. That proclamation was issued, and I understand there were about 45,000 volunteers in Nova Scotia at the time. If this Bill passes every one of the 45,000 will be entitled to this bounty. All those people did, I understand was to perform their drill at that time instead of at another season.

Hon. Mr. McKAY (Cape Breton)—No.

Hon. Mr. WATSON—That is what I am told. It seems a farce to say that people who performed their regular annual drill should be paid for doing so, as if they had rendered service in repelling an invasion. The case of the few men—they numbered about 200—who mustered at Portage la Prairie and Winnipeg to repel O'Neil, who invaded Manitoba at West Lynne, should be considered and although Manitoba was not a province of the Dominion at the time, it was part of the British possessions, and if the Nova Scotia volunteers who did

nothing are entitled to $100 each, the men who actually repelled the Fenians at West Lynne should be entitled to consideration.

Hon. Mr. LOUGHEED—This legislation applies to Manitoba. Those to whom my hon. friend refers in Manitoba can bring themselves within the provisions of the Act just the same as the volunteers in other parts of Canada.

Hon. Mr. WATSON—I have read the debate in the House of Commons, and it was stated there that they were not entitled to the bounty.

Hon. Mr. LOUGHEED—If they were called out in any part of Canada in 1866 or 1870, they are entitled to the bounty.

Hon. Mr. WATSON—But they were not called out. They found the country was being invaded and took up arms and repelled the invasion.

Hon. Mr. MURPHY—They were in just the same position as our militia.

The motion was agreed to, and the Bill was read the second time.

Hon. Mr. LOUGHEED moved that the Bill be read the third time to-morrow.

Hon. Mr. WATSON—Surely that Bill will go through the committee stage.

The SPEAKER—It is a money Bill.

Hon. Mr. POWER—I do not oppose the measure, but there are various provisions in the Bill which should be considered in Committee of the Whole.

Hon. Mr. LOUGHEED—If the House desire to have it referred to the Committee of the Whole. I have no objection.

Hon. Mr. CLORAN—Certainly we desire it.

The Bill was referred to committee tomorrow.

NEWSPAPER POSTAGE.

Hon. Mr. KERR—With the permission of the House I should like to read the following telegram which I have received from the president of the Typographical Union of Toronto:

Toronto, Ont., May 31.

Hon. Senator J. K. Kerr,
Senate Chamber, Ottawa, Ontario.

Hon. Sir,—In reference to the Postmaster General's Bill No. (147) now before the Senate of Canada, the following resolution was adopted by the Toronto Typographical Union No. 81. Resolved that this organization places itself on record as being opposed to the principle involved changing the Statutes so as to place the vested right of Parliament in the hands of one official giving him the power to fix second class postage rates now regulated by Parliament, and in view of this fact this organization considers it injurious to the newspaper and publishing business and therefore detrimental to the vital interests of the members of this organization.

Duncan McDougall,
President.

BILL INTRODUCED.

Bill (164), An Act to amend the Customs Tariff.—Hon. Mr. Lougheed.

The Senate adjourned until this afternoon at three o'clock.

SECOND SITTING.

The SPEAKER took the Chair at Three o'clock.

Routine proceedings.

THE TARIFF.

MOTION.

Hon. Mr. POWER moved:

That the Senate come to the following resolution:—

'That this House regrets that the Government, having decided to alter the tariff, have made no effort to lessen the cost of living by removing or substantially reducing the duties upon the necessaries of life.'

He said: We are not in the habit of discussing tariff questions in this House, or we have not been of late years; but in my early days in the Senate, in the sessions of 1877 and 1878, as hon. gentlemen will find on referring to our debates of that day, we did discuss financial questions and questions of tariff at great length. In fact one hon. gentleman in a way claimed to be the father of the National Policy, or took the ground rather that he had by his speeches in this House initiated the policy. So that there is no reason why we should not discuss the tariff question in a more or less academic way.

The ideal condition with respect to tariff is that there should be absolute free trade, that there should be a free interchange of all sorts of products, that there should be no customs duties, and no duties of excise. That would mean that the whole world would be just one vast home market. Free trade, if practicable, would be something like Portia in the 'Merchant of Venice', describes Mercy as being where she says:

The quality of mercy is not strained,
It droppeth as the gentle rain from Heaven,
Upon the earth beneath, it is twice blest;
It blesseth him that gives and him that takes.

And that is a fact as to free trade. However, this ideal is one that cannot be realized in our day. Vast sums of money have to be collected for the purpose of carrying on the public business in every country, and a large proportion of the money needed for carrying on the public business, has to be got through customs and excise.

Hon. Mr. EDWARDS—Just one difficulty; the intelligence of the people.

Hon. Mr. POWER—Our people are fairly intelligent, but still we have customs and excise. What is known as free trade exists when the customs duties are levied only upon articles that are not produced in the importing country. There you have ideal, technical free trade. That is the case in England; in England the domestic producer receives no direct benefit from the tariff, and the consumer pays no tribute, except that which goes into the public treasury. That is free trade as they have it in England. A protective tariff such as that of Germany or France, at the present time, or such as they had in the United States until last autumn, and such as we had in Canada up to 1897 is intended to benefit the domestic producer by excluding to a greater or less extent competition from the outside. If the exclusion is carried beyond a certain point, then the revenue from a protective tariff becomes less than the revenue from what is known as a revenue tariff, and the domestic producer appears to be benefited at the expense of the public treasury, as well as at the expense of the consumer. With all respect to my hon. friend from Rockland (Hon. Mr. Edwards) free trade as they have it in England may be looked upon, at the present time at any rate, as impracticable in this country. If you look at the trade returns, you will find that only about one-tenth of the goods that are imported into England pay any duties. Now, that is a condition of things that we cannot imagine in Canada; and the reason is that while in England they get a very considerable revenue from excise and customs, they collect immense sums by means of the income tax and the tax on estates.

Hon. Mr. CLORAN—Why not the same in Canada?

Hon. Mr. POWER.

Hon. Mr. POWER—Well, I should prefer not to go into a discussion of that kind; but the fact is that it is not, and cannot be in Canada just now. In Canada both of those sources of revenue I have mentioned, the income tax and the tax on estates, have been pre-empted by the local legislatures; and the Dominion could not undertake to impose either of those taxes without interfering with the revenues and business of the provinces. As to whether we have the right, under the constitution, to impose a tax on estates, I have very grave doubts. Possibly we could impose an income tax. The result is that the two great political parties in this country appear to agree that the public revenue of the Dominion, for some years at any rate, must be derived from customs and excise duties. There is a difference between the two parties; the Conservatives are avowedly protectionists, while the Liberal party leans towards free trade, and expresses an opinion in favour of a tariff for revenue, with only such protection as is incidental to such a tariff. The tariff which prevailed under the Mackenzie Administration was a very fair sample of revenue tariff. The highest duty paid on imported manufactures under that tariff was 17½ per cent.

Hon. Mr. BOLDUC—Why did you not return to that tariff when you had the power?

Hon. Mr. POWER: I did not object to that tariff. I was quite satisfied with the Mackenzie tariff. The tariff for 1897, generally known as the Fielding tariff, retained some protectionist features of the tariff which it replaced, but it marked a decided step in the direction of a revenue tariff. I know that some hon. gentlemen here, perhaps my hon. friend from Lauzon, are disposed to doubt and question that statement; but I should advise any hon. gentleman who is disposed to doubt or to deny the statement which I have made to refer to the speech made by Right Hon. Sir Charles Tupper, at that time leader of the Conservative party in Canada, in the House of Commons upon the introduction of the Fielding tariff of 1897. The veteran spoke then of 'the wail, the sorrowful wail,' of the manufacturers of Canada which the proposed enactment would cause to arise. As a matter of fact the baronet's protest was 'a tale of little meaning although the words were strong', and instead of being called

upon to wail, Canadian manufacturers enjoyed under the Fielding tariff such prosperity as they had never known.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. POWER—I am not given to quoting figures, but it is worth while quoting from page 5 of the fifth census of Canada, Vol. III, which gives one some idea of the way which the Fielding tariff destroyed the manufacturers of Canada. The following table gives the statistics for the two census years, 1900 and 1910, together with the total figures, and the percentage of increase in the decade. In 1900 the beneficial effects of the Fielding tariff had already made themselves felt. If we could get the figures for 1897 or 1896 and compare them with those of 1910, the increase would be much greater. I shall read now this schedule:

Establishments in 1900	14,650
" 1910	19,218
Total increase	4,568
Percentage of increase	31.18
Capital employed.	
1900	$ 446,916,487
1910	1,247,583,609
Increase	800,667,122
Percentage of increase..	179.15
Employees on salaries.	
1900	30,691
1910	44,077
Total increase	13,386
Percentage of increase	43.61
Salaries.	
1900	$23,676,146
1910	43,779,715
Total increase	20,103,569
Percentage of increase ..	84.91
Employees on wages.	
1900	308,482
1910	471,126
Increase	162,644
Percentage of increase	52.72
Wages.	
1900	$ 89,573,204
1910	197,228,701
Increase	107,655,497
Percentage of increase ..	120.19
Raw and partly manufactured materials.	
1900	$266,527,858
1910	601,509,018
Increase	334,981,160
Percentage of increase ..	125.68
Products.	
1900	$ 481,053,375
1910	1,165,975,639
Total increase	684,922,264
Percentage of increase..	142.38

I do not think it is necessary to dwell any further on the effect of the Fielding tariff and the alleged destruction of our manufactures which it caused. The result shown in this table was due to two or three circumstances; one—a very important cause of the improvement of the condition of the manufacturers as well as of the country at large—was the judicious and effective immigration policy adopted by Hon. Clifford Sifton. He is an honourable gentleman with whom I regret to say I cannot agree in a great many things; but there is no question, of the fact that his immigration policy is to be credited with a large proportion of the increased population, and the consequent prosperity. The result I have been speaking of, the increase in the manufacturing business and its increased prosperity, was due, not only to the tide of immigrants flowing into the country, and to the general prosperity of Canada, but also in a great measure to the reduction and removal of duties on the raw materials used in manufacturing. This lessened the cost of production and enabled our manufacturers to compete successfully with their foreign rivals, not only in Canada, but in the markets of the outside world. There can not be any better illustration of the effects of this reduction or removal of the duty on raw materials than is furnished by the experience of the Massey-Harris Company. That concern, as hon. gentlemen know from a return that was read here the other day, received in the year 1913-14 some $180,000 drawback on the imported iron used in making machines they export. I contend that the working people of this country—and when one says working people in Canada that means practically the whole population, because in Canada we have no leisured class; there are some lazy men and some idle men, but they are a very insignificant fraction, and practically we are all working people—should be treated at least as generously as the senseless machines and other manufactured products are treated. Let our workers have their raw material, or what constitutes their material, free or at a reduced rate of duty—I mean their necessaries of life. And what are the necessaries of life? Such food and clothing—I venture to give this as my own definition—such food and clothing as are absolutely essential to enable one to utilize fully his capacity for work. The country refunds to a manufacturer the money paid on iron imported for use in the construction of agricultural implements, and that is the same thing as admitting that iron free of duty. Why should we at the same time levy duties,

in some cases exorbitant duties, on those materials which are essential to every worker. Is it because a man deserves less consideration than a machine, or is it because the manufacturers' interests are dearer to the Government than the interests of the great bulk of the population? I fear that it is the latter. The labouring class of this country cannot at any time afford to contribute largely out of their narrow means either to the public revenue or to the profits of the manufacturer. At the present time, when there are thousands of men throughout Canada seeking in vain for employment, and when there are hundreds of thousands of honest workingmen who have the utmost difficulty in keeping the wolf from the door, no discrimination should be made against the workers. It is a time when it is the duty of the Government to take steps to lighten the burdens of the labourers, and the general mass of consumers as well, by reducing the cost of the necessaries of life. I do not propose to weary the House by going into details as to all the necessaries of life. I wish to briefly state my views as to two items, flour and woollen clothing. Flour, every one admits, is an absolute necessity of life and is consumed by all classes of the population. It would therefore be hard to establish a justification for the imposition of a duty of 50 cents a barrel on flour. It is not like tobacco or spirits; there is no excise duty, so that there is no necessity for the corresponding customs duty. It would be very difficult at any time to justify a tax of that sort, but it is particularly difficult at such a time as the present. I shall just read from the same volume of the census as I read from a short time ago, at page 4, the figures as to the millers. It is headed 'Grist Mill Products,' and is as follows:

Establishments	1,141
Capital	$42,905,689
Employees on salaries	1,129
With yearly salaries amounting to	1,076,081
Employees on wages	5,662
Their wages for the year	26,801.94
Cost of material	25,227,520
Products of the mills	82,494,826

Hon. gentlemen will see what an important industry it is, and also the comparatively small number of men who are employed. The millers in 1914 have been charging $5 a barrel for a certain quality of flour in Winnipeg, for the same quality in Toronto $5.30, and Montreal $5.40, and in London, England, $4.70. These gentlemen are able to ship, as they do, several million dollars worth of flour to London, and they make a profit on what is sold in London at $4.70, while they charge Winnipeg $5, and if I am not mistaken they charge Halifax at least $5.70, a dollar more than in London.

Hon. Mr. McKAY (Cape Breton)—I should like to know if the hon. member is speaking now with regard to the same grade of flour?

Hon. Mr. POWER—Yes, the same grade of flour.

Hon. Sir MACKENZIE BOWELL—Do the returns from which you have been quoting show it to be the same grade of flour, or is it merely the declaration of the newspapers?

Hon. Mr. POWER—The authority alleges that it was the same grade of flour, and I assume it was reliable, just as the other figures are reliable.

Hon. Sir MACKENZIE BOWELL—I know that is denied.

Hon. Mr. POWER—In the trade returns I find that the import of flour into Canada amounted last year to $549,604, upon which duty was paid to the extent of $73,966. Those are not very large figures, and I find at page 453 of the Trade Returns for last year, that while we imported flour to the value of $549,604, we exported 4,478,061 barrels of flour of the value of $19,970,689. Our millers are able to compete in the markets of the world with the millers of the United States and others. It is quite clear that the duty is not necessary to enable our millers to do business. In addition to everything else, they have an advantage, in this country at any rate, in the way of freight over the millers of the United States and other countries. It is only right to call attention here to the fact that there must be something illegal in the way in which the business is transacted. We have a statute which penalizes combines. Well, there must be something in the nature of a combine amongst the millers, because you will find that, no matter to what miller's agency you go, you are asked the same price for the same quality of flour. When the price goes down at one agency, it goes down at the other; when it goes up at the first agency it goes up at the other; clearly the public are suffering from what is known as a combine. It is to be regretted that the Government prefers to add to the profits of comparatively wealthy millers rather than to relieve the mass of consumers. That is all that I propose to say for myself on the

flour question. The conclusion of Sir Robert Peel's speech in 1846, when he was about to resign his position as leader of the Government, has often been referred to and quoted, but I think it is something that deserves to be quoted very often. I read from the library edition of his speech, vol. 4, page 716:

'Sir, I now close the observations which it has been my duty to address to the House, thanking them sincerely for the favour with which they have listened to me in performing this last act of my official career. Within a few hours, probably, that power which I have held for a period of five years will be surrendered into the hands of another without repining —without complaint on my part,—with a more lively recollection of the support and confidence I have received during several years, than of the opposition which during a recent period I have encountered. In relinquishing power, I shall leave a name, severely censured I fear by many who, on public grounds, deeply regret the severance of party ties—deeply regret that severance not from interested or personal motives, but from a firm conviction that fidelity to party engagements—the existence and maintenance of a great party constitutes a powerful instrument of Government. I shall surrender power severely censured, also, by those who, from no interested motive, adhere to the principle of protection, considering the maintenance of it to be essential to the welfare and interest of the country. I shall leave a name—

and this is the most striking portion of his speech—

I shall leave a name execrated by every monopolist who, from less honourable motives, clamours for protection because it conduces to his own individual benefit; but it may be that I shall leave a name sometimes remembered with expressions of good-will in the abodes of those whose lot it is to labour, and to earn their daily bread by the sweat of their brow, when they shall recruit their exhausted strength with abundant and untaxed food, the sweeter because it is no longer leavened by a sense of injustice.

I regret that the leader of the present Government has not thought proper to follow the example of Sir Robert Peel, another Conservative leader, and, while there was no necessity for his giving up his position, as Peel did, he might have listened to the voice of those who are in need instead of to those who are not in need. So far, with respect to the case where the duty is altogether indefensible.

Now, as to the cases where a substantial reduction of duty is desirable. I said that I should select the two items—flour and woollen clothing. In a climate such as that of Canada, the latter is an absolute necessity of life, and the case of woollen clothing may be taken as typical of cases in which the duties should be substantially reduced. I have been informed by gentlemen who have been brought in contact with the immigrants coming to this country from England, that one of the things about which those Englishmen complain most strongly, is that their clothing costs them twice as much in Canada as it costs them in England. How is it, at the present time? The lowest duty on British woollens at present is 30 per cent; the regular tariff being 35 per cent, but, with the small British preference, it is reduced to 30 per cent. Hon. gentlemen all know that it is the practice of dealers in dry goods to add anything from 3 per cent to 7½ per cent to the price of the goods on which the duties are paid to make up for the duties and incidental expenses; so that really the lowest duty at which woollen clothing manufactured in England can be purchased in this country and can be got into the possession of the consumer is 35 per cent. Now, let us see what the interest is which called for this protection, and how the protection compares with the result. If hon. gentlemen care to look at page 8 of the volume of the census from which I have been reading, they will find that there are in Canada 87 woollen mills, with an invested capital in those mills of $7,657,-761. That there are in those mills 245 employees on salary receiving salaries amounting to $247,797 a year and 4,267 employes receiving wages amounting to $1,374,898 a year. The value of the materials used in the mills is $3,154,013, the value of the products of the mills is $5,738,773, and the duty on the imported goods is $8,591,144. That is, a dollar taken from every man, woman and child in the country. That means that for every $3 worth of goods produced in Canada the consumers are taxed about $4.50, while the population directly benefited is only 4,512, that is the population of a large village or a small town. The whole people of Canada are taxed at the rate of about 35 per cent for the benefit of the small fraction I have mentioned. What would be the natural course to take in dealing with this question of British woollens? In my humble opinion the natural and wise course would be to make the English preference on woollen goods 50 per cent. The general duty on woollens is 35 per cent. If you make the British preference 50 per cent you bring that duty down to 17½ per cent. That was the old revenue tariff under the Mackenzie Administration. It is a comparatively high revenue tariff. We have to bear in mind that the real protection is at least 20 per cent—2½ per cent is really less

than the additional cost of the article when it reaches the consumer. It seems to me that any industry that cannot prosper with a protection of 20 per cent is either unsuited to this country or is badly conducted. With the respect to this increase in the British preference, it would materially lessen the cost of clothing to all our people and would thus reduce the cost of living. It would go to show to the people and Government of the mother country that Canada recognizes in some degree her obligations to them, and in my humble judgment would probably be as acceptable to most people in the United Kingdom as the price of three Dreadnoughts.

Hon. Sir MACKENZIE BOWELL—I do not rise for the purpose of answering the elaborate figures that the hon. gentleman has produced, but principally to congratulate him on the calm and moderate manner in which he has presented his case to the House, and especially on the tribute of praise he has rendered to the late Government on their method of managing the tariff and imposing taxes. The opinion which he has expressed and the praise which he has bestowed on those who organized and carried out the principle of drawbacks on articles manufactured for exportation, applies to the Government of which I, for some seventeen years, formed a part, and for the adoption of which policy we received the condemnation, couched in the strongest language that could be used of the party to which the hon. gentleman belonged. Individually, we received a good deal of condemnation from the members of the late Government when in opposition for having adopted that, and a similar policy, in order to enable the manufacturers in Canada to produce cheaply in Canada, to export to foreign countries and compete with the outside world. In illustration of that, and of the views expressed by the hon. gentleman from Halifax (Hon. Mr. Power) I happened to be in Australia before the adoption of that policy and found that the Massey-Harris Company exported to the Australian colony at that time, goods to the value of about $8,000. After the adoption of that policy, which enabled them to compete with the United States manufacturers of the same article, and English manufacturers of the same article, their exports to Australia ran up nearly one thousand per cent, four or five years afterwards, until it has grown to the extent to which my hon. friend has called attention. In that portion of his speech he had my individual assent and I congratulate him on coming to the conclusion that that portion of the protective policy was at least beneficial to the country. Referring to the question of flour and woollens, to which my hon. friend has called attention, I have seen in a circular issued by those who are interested, and are exporters of flour and wheat, the statement that the respective prices paid for these articles in Winnipeg, Toronto and Montreal are not for the same grades of flour or the same grades of wheat that are sold in England. Flour manufactured from our northern hard wheat is of a superior quality to that which is produced from softer wheat, and the prices quoted for flour in England apply to a mixture of soft and hard wheat. I am not in a position to verify the statement, but I have heard the argument advanced on both sides, and that is the reply which is made to those who say that we are paying more for our flour than is paid for it in England. The statement made by shippers, and those who are otherwise interested in the grain and flour trade, is that the article which is sold in England is of an inferior quality, and does not produce the same quality of flour as that which, brings the higher price in Canada. The hon. gentleman argues that it is unnecessary to impose the duty on wheat and flour imported into Canada. If we are producing wheat and flour in such quantities that we are able not only to supply the home market but to export millions of dollars worth annually, and if we import only about half a million dollars worth, I do not see how the removal of the duty on wheat and flour is going to lessen the price of the article imported. If there were a scarcity of wheat and flour in Canada, and we were obliged to import bread-stuff in order to supply the wants of our people, I could understand how the imposition of a duty would be a tax on the people, and enhance the value of the imported article.

Hon. Mr. POWER—I pointed out that there must be something of the nature of a combine: there is no competition between Canadian millers, apparently.

Hon. Sir MACKENZIE BOWELL—My reason would be just as strong against that position. I am willing to admit that in many cases combinations may exist, but that state of affairs has been in existence for the last fifteen or twenty years, during the whole time my hon. friend's party was in power. If those combinations existed

during that time, and to the same extent that they do now, why in the world did not the Liberal Government take advantage of their big majority and punish the combiners seeing they possessed the power to do so under the law? I am free to confess that I do not know of any combination that exists in Canada with reference to the growth of wheat, or with reference to the production and sale of flour. These combines, may exist, but I have no knowledge of anything of the kind, and I have not seen any affirmation that they do exist. The ramifications of that trade are so great that it is not likely an ordinary combine existing among a few manufacturers in the country. Competition is sure where people have anything to sell and want to sell and want to get the largest price they can in the market.

Every one who knows me knows that I have been a strong protectionist. I believe the prosperity of this country to-day is the result of the policy of 1878 and 1879. The ramifications of trade, and the protection to a greater extent of the product of the manufacturer for the opening up of the great western country, will affect not only the product, but it will affect the prices which we obtain and which were created by this combination of circumstances; I have been at a loss to know to what extent the declaration in this resolution of the hon. gentleman can be carried out, when he talks of 'the necessities of life.' The necessities of life go much further than clothing and bread. The necessaries of life cover nearly nine-tenths of the tariff articles. My hon. friend is only confining his necessities of life to clothing and bread stuffs. I am very much inclined to think that if he were confined to those two articles, he would not find living very enjoyable. As to the price of woollen and other clothing, to which my hon. friend has called attention, I remember distinctly—when the question of tariff was first introduced in the House, in the early stages of Confederation—hearing a speech made by the late Sir Alexander Gait, to which he called particular attention to the increase of duty imposed on coarse blankets, which it was urged should have a lower tariff than the finer qualities in order to enable the lumbermen of the country—that was the argument used at the time—to supply their shanties and lumbering operations at less cost, in order to keep their workmen warm in this cold climate. I remember, in one of my first attempts at speaking in the House of Commons, calling attention to the fact that since the imposition of increased duty on flannels, the coarser quality of flannels had been sold cheaper in wholesale departments and in the retail stores than they had been before the duty was increased. I had a very good knowledge of the question at the time, and I know that after the manufacture of the coarser article, from the coarser woollens produced in Canada, that article alone was sold to the consumer at a lower rate than it had been before. There may be another reason for that and it is this: the woollen blanket that was imported was, as a rule, manufactured from a finer quality of wool, and consequently a more expensive article than that which we produced in Canada ourselves. When the finer woollens were placed, not on the free list but at a lower tariff rate than that which was imposed upon the woollens from sheep that produced the coarser qualities, it created a demand for the coarser qualities to a greater extent than it ever did before in Canada. The coarser articles were more useful to the people of Canada than the finer quality of wool. I am speaking from actual facts, and when I pressed this point upon the electors in the section from which I came, it was argued that you could grow the finer qualities of wool in Canada, and consequently the duty should be as high upon the finer wools as it was upon the coarser wools. My answer was simply this: you can, by means of a hot-house raise oranges and lemons in Canada, but I scarcely think any man engaged in the fruit trade would attempt to produce articles of that kind for the market; it was just the same in relation to the production of the coarse and finer wools. As to the great difference in price to which my hon. friend called attention, I am not prepared to dispute it, but my experience in dealing with the Customs Department for thirteen or fourteen years, did not lead me to the conclusion to which my hon. friend has arrived. From very small purchases made by myself and others whom I know, of the goods from both countries, I scarcely think the deduction which he has drawn from the imposition of the duty, and the conclusion at which he has arrived, are borne out by the facts. Beyond that, I do not propose to weary the time of the House in discussing this question. When you deal with the large figures which my hon. friend has dealt with, you mystify the

ordinary mind, and the old adage that you can prove anything by figures, or attempt to prove anything, is illustrated by the speech which we have just heard from the hon. gentleman from Halifax (Hon. Mr. Power). I revert once more to the compliment I paid him, as to the remark he made and the compliments he paid the late Government in adopting a policy which enabled the manufacturers to manufacture goods and sell them in the foreign markets as cheaply as manufacturers in any other country; what is equally important, is the fact that the imposition of that policy enables men to employ hundreds of thousands of additional men who otherwise might have had to seek employment in a foreign country.

Hon. Mr. BOSTOCK—I wish to congratulate my hon. friend from Halifax (Hon. Mr. Power), on the very interesting speech he has given us this afternoon, and the trouble he has taken to put his views before the House. I regret, rather, that he has not brought this matter up earlier in the session, because at this time of the session we are not altogether in a position to give it as full and complete discussion as a subject of this kind deserves. I have listened with a good deal of attention to what the hon. gentleman from Hastings has said in this matter, and I cannot see how to arrive at the same conclusions, about this. Of course everybody who is interested in the development of the country is anxious that the manufacturers of this country, as well as other industries in the country should be as prosperous as possible, and we are only glad to see that the manufacturers of the country are carrying on a large export trade, and doing well in connection with it, but my hon. friend has not made the conclusion very clear to my mind, that this was due to the action or policy of the Government. The manufacturers of the country are dependent on the development of the country, and they naturally develop as the country itself develops. The greatest work that can be done in handling the affairs of the country is to see that the development of the country is carried on as fast as possible and to the greatest benefit of the whole country. My hon. friend of course has always been a supporter of what is called the National Policy —

Hon. Sir MACKENZIE BOWELL—And does not regret it.

Hon. Mr. BOSTOCK—And he will tell us that that policy was established for the purpose of benefiting the whole country, but my experience has been that the National Policy has not benefited the whole country. It has benefited, to a very large extent, certain individual interests in the country. It has tended to build up certain industries to the detriment of others. In British Columbia we feel the extent of that, because at the present time we are not a manufacturing province. We have not had a sufficient time to develop industries, and therefore we have to pay, either by way of tariff, or we have to pay by way of freight rates for the goods which we bring from the eastern part of the Dominion to the province of British Columbia. In the case of the mining industry in Kootenay years ago, when that industry first came into prominence, there was a very great outcry on the part of the people that they should be allowed to bring their mining machinery into Kootenay free of duty. The people who were interested in developing that mining industry found that the amount of duty they had to pay on mining machinery coming into the country, was a very great hardship on them and entailed a very great deal more money being put into the opening up and development of mines. At that time the manufacturers of Canada had not had the experience in making mining machinery that they have at the present time, and therefore the mining industry in British Columbia suffered in one or two ways—either in having to pay a higher price for the machinery used in the mines or, because they had to pay the freight rate for bringing the machinery from the eastern part of Canada, the makers of which were not as well versed in the making of this class of machinery as they are at present. The question of wages is also very often brought forward in connection with the question of the tariff, and I was very much interested the other day in a newspaper article which claimed that wages in the United States had increased very considerably in the towns in the last decade. This article compared the wages in the United States with those of Great Britain over the same period, and pointed out in the United States the wages during this period had increased in the centres of population whilst in Great Britain the wages had, if anything, declined in the centres of population while at the same time wages in the farming districts had very much increased—the effect being to encourage people to stay and make their living in the country, and not crowd into the towns in such a way as almost every civilized

part of the world to-day is complaining of. Legislatures are trying very hard to induce people to stay on the land and develop the natural resources of the country, and the farming industry, instead of crowding into towns as they are doing When I read that article I thought it was a proof that the free trade policy pursued by Great Britain was encouraging people to stay on the land and work, and not crowd into the towns. Another point well worth considering is the effect that has been brought about by the reduction in duty in the United States, under what is known as the Underwood tariff. The figures comparing the first three months of this year with those of last year, show that since the Underwood tariff went into effect the trade between Canada and the United States in certain articles on which the duty was reduced, has increased very largely, and the amount of trade going from Canada to the United States has increased in that period of time by nineteen million dollars. That is a very good example of what can be done, and what occurs when you reduce the duty on goods coming into a country. The United States tariff has been of very great benefit to Canada, especially to the West, where the statement was made the other day that no less than 500,000 hogs had been carried out of the prairie provinces by the Canadian Pacific railway, most of those hogs having gone to points like Seattle and other points in the United States. The effect of this has been to put into the hands of the railway company a considerable business, and it all goes to help the prairie farmers very much in the West at a time when they very seriously want assistance, on account of the refusal by the Government to consider their request for taking off the duty on wheat. The farmers in the West have pointed out to the Government the benefit that would accrue to them if they would meet the proposals of the United States as stated in the Underwood tariff, of taking the duty off wheat; but the Government have not seen their way to meeting the request of the farmers, although thy have shown very great interest in helping the manufacturers in western Canada. The farmers of course are not in the same position; they cannot come down and present their case to the Government, and insist on their views being adopted, in the same way that some of the manufacturers, who have a highly organized association. One effect of this will be that the farmers will come together very much more, in their own interests, and for the purpose of trying to bring about the desired results of getting the benefit of the market of the United States for their wheat, in a way they cannot do at present. The hon. gentleman took exception to the statement as to the grade of flour on which my hon. friend from Halifax quoted prices in different markets at the present time. That question has been discussed before, and if I recollect rightly the same point was raised, that the prices given did not refer to the same grade of flour. When the discussion was gone into it was shown that it was the same grade of flour that was being dealt with; and the point is that this flour is being sold on the English market at a lower rate than on this side of the water. My hon. friend referred to the mixing of flour. Of course, different kinds of flour are mixed in this way, the hard wheat and the soft, but when the flour is mixed it has a certain grade that is known to the trade, and the flour is sold under that name, so that there can be very little doubt but that the prices given refer to the same grade of flour. This motion calls for the removing or the substantial reducing of duties on the necessaries of life. One objection taken by my hon. friend, is that the only point raised was the reduction on woollen goods coming into this country, whereas necessaries of life cover a great many things. The object of reducing the duty is for the purpose of helping to bring about the reduction in the cost of living, and helping the people, as in the case of their woollen goods, which are very much required, especially in a cold country. People should be able to buy these goods as cheaply as possible. If there was a reduction on the price of manufactured woollens coming into this country, it would have the effect of supplying the trade engaged in the making of clothing with such goods at a very considerably less rate than they pay at the present time; thus they would employ a larger number of hands than are shown by the figures given by my hon. friend from Halifax. The industry of making clothes and woollen goods of all sorts is one that would employ a great many hands, and the benefit to the whole country would be very great, if we could get our material, at a greatly reduced rate it would, at the same time be benefiting the people who would be making those clothes. I do not propose discussing this question any longer at the present time, but I think that it is very much to be regretted

that the Government has not seen their way in their tariff proposals, to reduce the duty on those woollen goods, and propose a reduction in the British preference on goods coming into this country.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. DANIEL—I quite agree with the speaker who has just taken his seat, that it is a rather late time in the session to start in and debate such an important subject, and especially on such short notice. In consequence, this Chamber will hardly be able to do itself justice, and perhaps not even credit, by having such an important matter brought to its attention at this late date. I must say that as a rule I listen to the hon. member from Halifax (Hon. Mr. Power) with a great deal of pleasure, and often receive a good deal of instruction. But his address this afternoon was one which hardly did credit to the greatness of the subject, or indeed to himself as a close reasoner. He spoke of the desirability of the Government making a reduction on the necessaries of life, and to what articles did he alone refer, practically? Flour on the one hand, and to clothing on the other. Now, how much flour did we import into this country in the year 1913? We imported into this country in 1913 of grain products, which of course takes in flour and other things besides, $990,812 worth; and we took in duty on that amount the sum of $159,409.09, or really less than two cents a head for the whole year, for the whole population of Canada. Is that not a great tax for us to groan under? That certainly must have raised the cost of living to a very high amount in Canada! But that is the argument that we have had given this afternoon with regard to the increased cost of living, by the necessaries of life having a duty placed upon them. I want to go a little further in that same connection. It must have appealed to every member in this House that when the hon. gentleman got into his subject, he must have felt that, if he was going to carry out and advocate a policy of that kind to the fullest extent, he would raise a great question, and a great opposition among the big army of farmers in this country, consequently he left the greater part of that subject severely alone? Why? Why should every interest and every industry in this country be protected and the farming industry which is the biggest one of the lot, allowed to go without any protection at all? We have heard this afternoon of the manufacturing industry, but the great agricultural industry exported in the year 1913 no less than $150,000,000 worth; while what was the export of our manufactured products?—less than $45,000,000—a good deal less than half of the export of agricultural products. That alone will show that the agricultural interest in this country is really the most important interest that we have. And if any industry should be protected and helped and assisted it is the great agricultural industry of this Dominion.

Hon. Mr. THOMPSON—The farmers are asking for a reduction of the tariff.

Hon. Mr. DANIEL—Are they?

Hon. Mr. THOMPSON—Yes, all over Canada.

Hon. Mr. DANIEL—That is the very first time I have heard it. I would like to ask the hon. gentleman from British Columbia if the fruit raisers in this country are asking for the tariff to be taken off fruit?

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. DANIEL—I would like the hon. gentleman from New Brunswick to go down to Montreal and ask the market gardeners around Montreal if they want the duty taken off the stuff they raise. And I should like him to go to any farmer in Ontario, Quebec, or the Maritime provinces, and ask him the same question; I doubt very much if he would come back here and say that he received an affirmative answer from any one of them. Hon. gentlemen should not confuse the farmers of this country with a certain grain growing faction in the West. In some ways they are united, but in others they have their differences .

Hon. Mr. THOMPSON—The hon. gentleman spoke of an exportation of agricultural products amounting to $150,000,000; was not that to a large extent wheat?

Hon. Mr. DANIEL—Certainly; what has that got to do with it? It only shows that wheat growing is part of the agricultural industry in the Dominion, and needs looking after the same as every other industry. My hon. friend's resolution calls for a reduction of the cost of living. What is

the argument of the hon. gentleman from Fredericton (Hon. Mr. Thompson) in regard to free wheat? It is that they think that, by having free wheat, they will be able to get better prices for their own wheat,—the effect of that would be to increase the cost of living in this country above what it is at present. That is the result of the hon. gentleman's argument. The same thing applies to the remark made by the hon. gentleman from British Columbia (Hon. Mr. Bostock) when he spoke about the large number of hogs being exported from this country. As a matter of fact the result is to increase the cost of living in this country. So that, as far as this resolution and the arguments used by hon. gentlemen in support of it are concerned, they are all the other way. With regard to the amount of food products imported, I want to go a little further than the hon. gentleman, and mention more of them than he specified. We imported in the year ending March 31, 1913, the last year for which we have full published reports, of animals living, excluding horses—we have not got to eating horses yet in this country—$939,831, and raised a duty on those of $234,794.66. We imported bread-stuffs, $1,260,357, and got a duty on that of $261,403.33; grain, $1,889,813, and raised a duty on it of $238,499.68; grain products, which includes flour, $990,882, and got a duty on it of $159,409.09; coffee, $268,100, and got a duty on it of $35,365.38; eggs, $2,783,665, and took a duty on them of $397,123.48; fish, $1,608,663, duty paid, $361,115.52; condensed milk, $21,171, duty paid, $8,292.56; meats, $5,338,673, duty paid, $1,040,547.78; sugar, $17,392,146, duty paid, $4,162,672.93; tea, $42,360, duty paid, $4,236; vegetables, $3,242,214, and duty, $896,262,20. Now, all these things added together amounted in value to $35,777,805, and the duty that was paid on them amounted to $7,799,722.61. It will be quite clear that a very large amount of these things are such as ought to be raised in Canada. As a matter of fact some of them we do export in large amounts, such as grain, grain products, fish and other things. We export a great deal of our surplus, and at the same time we import a large quantity. For instance, the Canadian hen ought to be sufficiently active to give us all the eggs we need in this country, but she does not. It shows that the farmers of this country have the greatest opportunity to satisfy the wants of this country and prevent the present large importation of food products. But take all those articles together, the duty raised on imported food products of all kinds is a little less than $8,000,000—about a dollar a head for the whole population of the Dominion. Of all these things that are brought into the country on which duty is paid, the cost that is incurred by the individual because of the duty is about one dollar a year. Now, supposing there was not a cent of duty placed on those things, does any hon. gentleman think that the cost of living in this country would be reduced by one fifty-cent piece, or by one-quarter of a dollar? Hon. gentlemen know in their own hearts that no such effect would be produced, even if the article in that list were allowed in this country free of duty. But why should the agriculturalist be singled out, and why should it be said that he should receive no protection? You may say that his products are the products of the soil, but would any man try to gather grapes from thorns, or figs from thistles. People only reap what they sow. The agricultural products is the manufactured article of the farmer. He has to employ capital, and he has to pay for his capital. He has to purchase his plant, and he has to plough, and harrow, and sow, and reap, and thresh, and gather into his barns, which are his warehouses, and he has to transport his stuff to market. This is done, not by the smile of Providence sending showers and sunshine in their proper order, but it is done by the use of capital, and by the payment for capital and by the use of labour and by the payment of labour. The farmer is a manufacturer, and his interests, the greatest interest in this country, should be looked after as closely as it is possible for this Government and Parliament to do it. I should like to remind hon. gentlemen that this resolution is practically a resolution of want of confidence in this Government. It causes one to reflect on the action of the previous Government with regard to what they have done for agriculture and what they have not done. The year the Liberal party left office how much did they do for the agricultural interests of this country? They aided agriculture to the extent of $1,489,973. The present Government when they came into power in the year 1912-13 saw that amount, and went about an equal

amount more, spending $2,436,103 in the interest and in the aid of agriculture. In the years 1913, 1914 they raised the amount to $2,635,000, and the amount which is being given for the aid of agriculture this year will be nearly $4,000,000. That will show the ordinary citizen of this country the difference between the interest which the late Government has taken in agriculture and the interest which the present Government is taking in it. The idea which the hon. gentleman brings forward this afternoon, as I say, is a vote of want of confidence in the Government. Such resolution is entirely out of place in the Senate Chamber, is an attempt at another blow at the biggest interests we have in this country, the great agricultural interests of this country; I leave this for the home thought of my hon. friend opposite, and I hope that perhaps when he comes to think more seriously of the matter, he may come to the conclusion that it would have been better not to have introduced this subject. The hon. gentleman from Halifax in introducing this subject, spoke of the tariff and duty on woollen goods, especially on woollen goods imported from England. We make woollen goods in this country. He spoke about someone from the other side coming here and complaining of the great increase that he had to pay for his clothing. In 1911 I happened to be over on the other side, and I bought a suit of clothes in London, and I had to pay just twice as much as I would have to pay for the same suit in Canada. It all depends where you go for your clothes; the cost of clothing depends very largely upon your tailor; indeed, the cost in your clothing is also the result of the increase in labour. Every manufacturer—whether a tailor, or whether an iron-worker, or whether it is a railway corporation—all have to pay higher rates of wages, and when we come to talk, and consider the increased cost of living, a person does not take into consideration the great increase and the growing increase in the cost of labour which enters into everything. He takes no heed of the most important article of the whole series? There is no doubt that is the most important reason for the increased cost of living. We can try and draw red herrings across the trail by bringing in such a resolution as we have this afternoon, but when you look into it, and see how much the country really pays for it, and how on the other hand the cost of living has increased, even a superficial examination of the question shows that this matter of the tariff on the necessaries of life has absolutely nothing to do with it. Take the clothing interest in this country; we manufacture good clothes in this country. They, perhaps are not as well finished in some ways as those from the other side; I have no doubt they are not, but they are good enough. Any one who does not feel able to buy a suit from a tailor in the west end of London, can be suited with good clothes, well cut, well made, at a very small increase on the price he could buy them for in this country ten or fifteen years ago, the principal increase being in the cost of making up the goods. That is the view I take of that. I may be wrong, but I think I am right. The hon. gentleman from Halifax pointed out that you could buy the same flour cheaper in Liverpool than you could buy it on the wharf at Halifax.

Hon. Mr. POWER—A dollar cheaper, yes.

Hon. Mr. DANIEL—I believe that is a correct statement of what the hon. gentleman says. I want to call attention to the fact he can do the same with Annapolis apples. These apples go to Liverpool, and you can buy them cheaper there than in Halifax. That is a well known fact, as is well known in the old country.

Hon. Mr. WATSON—Should you not take the duty off apples.

Hon. Mr. DANIEL—There is no duty on apples going to the old country.

Hon. Mr. WATSON—But there is on apples coming to Canada.

Hon. Mr. DANIEL—I am not speaking of that. I am speaking of export, and that is what the hon. gentleman from Halifax is speaking of.

Hon. Mr. WATSON—He is speaking in the interests of the consumer of Canada, and not of Great Britain.

Hon. Mr. DANIEL—He was speaking with regard to the fact that flour manufactured in Canada was sold at a higher rate in Halifax than the same flour was sold in England

Hon. Mr. WATSON—Then take the duty off flour.

Hon. Mr. DANIEL—Why did not the hon. gentleman's party take it off when his party had the opportunity. I also want to point out that in England the English manufacturer has different prices for the home

buyers, and foreign buyers. The English manufacturer will sell his goods out here in Canada, or the United States, or in Germany, or in France, or in any other country, twenty per cent cheaper than he would sell it to the home buyer in England. It is a well-known fact, that with regard to food products especially, England is the greatest market for food products. Every country in the world is sending food products to England, and consequently they do get the advantage. There is always a sale there. Any one here sending his goods there, knows he will be able to sell them. All our surplus goes to the old country. I would like to remind the hon. gentleman who brought this motion forward that you cannot deal with it in a five minutes' speech; it is a very big question, and takes in the whole subject of free trade and protection. I can understand and appreciate the man who comes boldly forward and says: 'Here I am in favour of free trade, and we can raise our revenue by direct taxation on the people.' I can understand a position of that kind, and have a great deal of respect for the man, because I think that the theory of free trade when it is debated on the platform, or put forth in a book, is one of a most attractive nature; it sounds right.

Hon. Mr. CLORAN—Why not adopt it?

Hon. Mr. DANIEL—But when you come down to deal with it practically or attempt to deal with it peace meal, and take the duty off here, and put it on there, you are going to destroy the whole system, which by this time has become—I shall not say perfect, because nothing is perfect; even the best tariff we can get will be changed according to the changing conditions of the country. But it is too late to go into the whole subject of free trade. We know that at election times we have political candidates and others going out on the platform, and advocating free trade, but there has never been a Government that has had control of the Parliament of Canada since the National Policy was introduced in 1878, that ever dared to put a venturing hand on the National Policy, when they had to take the responsibility of their action. It was one thing to rise and parade a theory on the platform in order to get votes, but it was another thing to be placed in the seat of power and be the responsible Government of this country; it was another thing to take on yourself the responsibility of changing that whole system. I have made the statement for the purpose of giving my reasons why I am entirely opposed to the passage of the resolution now before the House.

Hon. Mr. WATSON—The hon. gentleman said, why did the Liberals not take the duty off flour? The Liberal Government made an attempt in 1911 to take the duty off flour, but the hon. gentleman with his manufacturing friends—

Hon. Mr. DANIEL—The hon. gentleman refers to reciprocity.

Hon. Mr. WATSON—Yes.

Hon. Mr. DANIEL—If you will allow me I shall give you a word on that. As the hon. gentleman has referred to it, I desire to refer to the reciprocity pact. There was to be an interchange of some thing by the reciprocity pact. The tariff this year reduced the tariff on agricultural implements to twelve and one-half per cent. What did the reciprocity pact do? I shall tell you what it did. In the reciprocity pact harrows, reapers, agricultural drills, mowers, horse rakes, cultivators, pressing machines, windstackers, weighers, and self-feeders, etc., imported, were to pay a duty of fifteen per cent ad valorem, and portable engines, potato diggers, grain crushers, fanning mills and the like, a duty of twenty per cent ad valorem, and farmers' wagons and finished trucks were to pay a duty of twenty-two and a half per cent ad valorem. There is your reciprocity pact. We have done more for the farmer in regard to his agricultural implements this very session than you could possibly do under the reciprocity pact. That reciprocity pact, if carried, would have been on our hands for an indefinite length of time, because it was stated in that pact that if the agreement was confirmed it was expected to remain in operation for a considerable time; only this expectation on the part of both Governments would justify the time and labour spent in maturing the proposed measures. If that reciprocity pact had been adopted by both countries we would have been saddled with those duties for all time to come. You could not interfere with them, we could not touch them unless the United States was agreeable, and so we would have put on our shoulders these heavy duties that I have referred to under the reciprocity pact.

Hon. Mr. WATSON—I just wish to say that the hon. gentleman is entirely wrong in his statement in regard to the reci-

procity pact, because he knows very well that the Canadian Government retained control at all times, and could make a change at any time they saw fit. So far as the reduction in that particular schedule which the hon. gentleman just read, he knows the Government reduced the duty on all agricultural implements to a certain percentage, some two and a half or three per cent, while in the present tariff to which he is referring, changes made this year, only refers to binders and mowers, etc.

Hon. Mr. DANIEL—Twelve and a half per cent.

Hon. Mr. WATSON—Yes, and only two articles, and the others remained at the high rate of duty. There is no doubt that what the hon. gentleman from Halifax has said is true, that there is a combine amongst the millers in Canada as to the price of flour.

Hon. Mr. DANIEL—That may possibly be true.

Hon. Mr. WATSON—And to keep the price of wheat down. In Manitoba the miller pays about eighty cents a bushel for wheat. Four and a half bushels will make a barrel of flour. Flour is sold at six dollars a barrel, and the offal is sold, and the sale of the offal would give a handsome profit to the miller for grinding the wheat. They make about $1.20 a sack and about $2.40 a barrel of flour. I am giving the price to the consumer. There is no question about it in Manitoba, and I think the same thing will apply all over Manitoba and Canada, that if we had reciprocity in wheat and flour, we would get more for it, and the consumer would get his flour for a dollar a barrel less than to-day. That was the question in dispute, and the hon. gentleman from Hastings (Hon. Sir Mackenzie Bowell) talked about the quality of flour. Is it generally admitted that flour is cheaper in England than in Canada. It is the same with apples. You can buy apples cheaper in England than you can in the Annapolis valley. England has cheaper flour, made from our own wheat, than our farmers who raise the wheat can get it for in Canada.

Hon. Mr. CLORAN—I propose to discuss this question from the point of view of principle. Protection is necessary; the degree necessary is the question of policy. I hope the distinction will be accepted by the House. The Conservative party, in their tenure of office, has always exacted the highest degree of protection possible. The Liberals have taxed the people the lowest possible. Which is right—the Tory or the Liberal? When the Tory asks for the highest degree of protection, what is he doing? He is putting money into the hands of a few, into the hands of the manufacturers. When the Liberal asks for a lower degree of protection, what is he doing? He is putting money into the hands of the consumer. When a duty is imposed of thirty-five, forty or fifty per ment, the importation of the article so taxed is practically impossible. It gives room then for the Canadian manufacturer to produce and sell that article at his own price, under the fifty per cent tariff. Where does that money go? It goes into the hands of the manufacturer, while if that article were imported into Canada under a tariff of twenty-five, twenty or fifteen per cent, the money would go into the national treasury. The only articles which pay taxes are imported articles: on these we get the revenue of the country. The profits of manufacturing under a protective tariff go into the pockets of the manufacturer, but when we import from a foreign country the customs duties go into the national treasury. That is the difference between the Conservative party and the Liberal party. We are for as low a tariff as the requirements of the country will permit, while the policy of the Conservative party is to help the manufacturer. The amount taken from the people through the protective tariff is divided between the manufacturers and the campaign funds of the Conservative party. There is the difference between the policy of the Conservative party and the policy of the Liberal party. We are not opposed to any manufacuring industry, but we feel that the people of Canada should have goods sold to them at the cheapest possible prices.

Hon. Mr. EDWARDS moved that the debate be adjourned until to-morrow.

The motion was agreed to.

INDIAN ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (114), An Act to amend the Indian Act.

(In the Committee.)

Hon. Mr. LOUGHEED—There has been so much criticism about clause 6 that I move to strike it out.

The motion was agreed to.

Hon. Mr. MURPHY, from the committee, reported the Bill with amendments. which were concurred in.

COLD STORAGE.

IN COMMITTEE.

The House resolved itself into Committee of the Whole on Bill (113), An Act to regulate cold storage warehouses.

(In the Committee.)

On clause 2:

Hon. Mr. BOSTOCK—There is nothing said in this section that I see about fruit. Is it not proposed to deal with fruit at all in this Bill? The interpretation clause defines 'cold storage' and 'cold storage warehouse' and then

(d) 'articles of food' means butter, eggs, fish, poultry and meats, except meat in process of manufacture or curing, and such other foods as may be designated by order in council.

Is not fruit to be dealt with at all?

Hon. Mr. LOUGHEED—Authority is vested in the Order in Council to designate anything else, other than those designated as foods, but fruit is scarcely a subject that would come under the Bill. I mean to say that the decay of fruit is so perceptible that it does not need any regulation to govern it. However, it would be discretionary with the Governor in Council, if there was an abuse of that, to include it in the other foods.

Hon. Mr. BOSTOCK—There is nothing said in the Bill about compelling people to show that they are selling cold storage goods. Of course it hardly comes under this Bill, but at the same time it is a most important matter to the public that they should know, when they are buying stuff, that it has been placed in cold storage.

Hon. Mr. LOUGHEED—That comes under the Inspection Act, which makes full provision for that.

Hon. Mr. DANIEL, from the committee, reported the Bill without amendment.

GULF PULP AND PAPER COMPANY BILL.

COMMONS AMENDMENTS CONCURRED IN.

A message was received from the House of Commons with Bill (E-3), An Act respecting the North Shore Power, Railway and Navigation Company, and to change the name thereof to 'Gulf Pulp and Paper Company', with amendments.

Hon. Mr. BOYER—Though this Bill is in my name I would like to draw the attention of the House to what I would call the uselessness of the amendment. The Bill says:

2. Subject to and together with such legislative, governmental, municipal or other authority, concession, license or consent, if it is necessary, the company may—

The amendment of the House of Commons is:

Provided always that the rights, powers and privileges hereby conferred upon the company to distribute, sell and dispose of electrical energy for light, heat and power, when exercised outside the property of the company shall be subject to all provincial and municipal laws and regulations in that behalf.

I do not quite understand the words 'and regulations in that behalf' mean; and they go on—

Provided also that in any province where there is no authority to regulate the rates.

Is there any province in Canada where there is no authority to regulate rates?

Hon. Mr. EDWARDS—Yes. Let the amendments go; they do not hurt anybody.

Hon. Mr. BOYER—Well, as the company that proposes the Bill has no objection to the amendments, of course, I have none, but they strike me as being perfectly useless.

Hon. Mr. EDWARDS—They are ridiculous; they are more than ridiculous, but there is no harm in them.

The amendments were concurred in.

BILL INTRODUCED.

Bill (182), An Act to provide for the Inspection and Branding of Pickled Fish.—Hon. Mr. Lougheed.

The Senate adjourned until to-morrow at 11 a.m.

THE SENATE.

Tuesday, June 2, 1914.

The SPEAKER took the Chair at Eleven o'clock, a.m.

Prayers and routine proceedings.

THIRD READINGS.

Bill (189), An Act to regulate the manufacture, testing, storage and importation of explosives.—Hon. Mr. Lougheed.

Bill (114), An Act to amend the Indian Act.—Hon. Mr. Lougheed.

Bill (113), An Act to regulate cold storage warehouses.—Hon. Mr. Lougheed.

THE TARIFF.

DEBATE CONTINUED.

The Order of the Day being called:

Resuming the adjourned debate on the resolution of the Honourable Mr. Power:

'That this House regrets that the Government, having decided to alter the tariff, have made no effort to lessen the cost of living by removing or substantially reducing the duties upon the necessaries of life.'

Hon. Mr. EDWARDS—The subject which was discussed to some extent yesterday afternoon is one which has always been of very great interest to myself. It is one which, if studied, would become one of very great interest to the people of Canada. Unfortunately this motion was moved too late in the session. This Senate might perform a very great service to the country by having annually a discussion upon this very important question, but such discussion should be earlier in the session when greater attention could be devoted to it.

Hon. Mr. POWER—I should have been disposed to have the discussion earlier, but the Senate was too busy adjourning in the early part of the session.

Hon. Mr. EDWARDS—I would suggest that next year, instead of adjourning, we take a week or two to discuss this very important question and educate the people of Canada thereon.

Hon. Mr. LOUGHEED—That would not settle it.

Hon. Mr. EDWARDS—As a free trader —for I am a free trader out and out—I cannot say that I, to a very great extent, appreciated the discussion of yesterday afternoon. My hon. friend introducing the subject was a little heterodox in his own argument. He said free trade was impossible in this country. I interjected the remark, 'Why? simply because the people are not sufficiently intelligent to adopt the principle.' The statement is made that certain conditions of prosperity have been brought into existence under the protective system. I am one of those who believe that in the best interests of this country protection should never have been adopted, that it has done, and is doing a great deal of injury to this country. But free trader as I am, I would not remove those unfortunate conditions by a stroke of the pen, and bring about financial disaster. Why could not free trade exist in Canada? Why is it impossible? Simply because the people love the delusion of paying their taxes through a revenue derived by customs and excise, rather than pay taxes directly out of their pockets. If an intelligent view of the situation prevailed to-day in Canada, I do not think the wrong which exists, would continue for any length of time. But there is one thing which the people are not educated up to, and will not learn for many years to come; that it is best to pay their tax direct. Under such a system the administration of our affairs would be carried on far more economically than they are. However, as that condition is not popular to-day, and I regret to think that it will not be accepted possibly for many years to come, our revenue must be derived from duties on imports, and excise. But there is a vast difference between a revenue tariff and a protective tariff, and it is there that I take issue with those who believe in protection. The intelligent free trader, recognizing that we cannot to-day have free trade for the reasons which I have stated, is quite content to take what, to him, is the next best thing, and live for the present at least under a revenue tariff.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. EDWARDS—I believe that the Administration of to-day claims that its tariff is a revenue tariff. My political friends who governed this country for fifteen years made a similar claim for their tariff. I never agreed with them on that question, and regarded their tariff as having the protective system largely embodied in it. So far as I am concerned, I have stood to my colours and advocated continuously the principle of free trade, but not being able to realize my ideal, I accept the next best condition and am willing that we shall live under revenue tariff conditions for the time being. Under such conditions we need not have a higher tariff to-day in Canada than 16 per cent. My conviction is that such tariff would yield too great a revenue. I believe that even a lower tariff would give a sufficiency of revenue for carrying on the affairs of this country.

Hon. Sir MACKENZIE BOWELL—Do you mean a uniform 15 per cent?

Hon. Mr. EDWARDS—Absolutely. I am not one of those who believe in taxing one article very highly and letting other articles come in absolutely free. If I had been in the House of Commons when it was suggested that taxations should be removed from agricultural implements coming into this country, I would have voted against it. I would have done so because I am a free trader. That looks strange no doubt to those who do not understand the subject, but it is not at all inconsistent to a free trader. I would have a uniform tariff. This doctoring with tariffs to meet the view of special interests, is entirely wrong, but there is nothing wrong in having a uniform revenue tariff. I should like to ask what is sound in the contention that there should be a removal of duty now levied on agricultural implements, while at the same time cotton, tinware and other articles which are just as important to the consumers in this country as agricultural implements are taxed. Cotton is not indigenous to this country and should not have special treatment. Still there are gentleman here who say that we must pick out certain specific things and admit them duty free. I believe in no article being free but the one article which I am engaged in producing myself, and that is lumber.

Hon. Mr. MURPHY—What about cement?

Hon. Mr. EDWARDS—My hon. friend from Prince Edward Island is very much exercised about cement; I am not a cement manufacturer, I am a lumber manufacturer. I do not receive one dollar a year from the revenues that accrue to the manufacturer of cement—not one dollar.

Hon. Mr. MURPHY—Ten thousand dollars they say.

Hon. Mr. EDWARDS—I obtain my living from the production of lumber. It is a very poor living to-day I can assure you, and I can tell you one of the reasons why, —and my protectionist friend will at once say he could cure the evil. The fact is that lumber is being delivered in Canada to-day from the Southern states, in Toronto, Montreal and the other cities of the East, for less money than we can deliver the logs on the ice.

Hon. Mr. MURPHY—At what price per thousand?

Hon. Mr. EDWARDS—Lumber is being planed and delivered in Toronto for $21 a thousand.

Hon. Mr. MURPHY—That is a pretty good profit.

Hon. Mr. EDWARDS—My hon. friend is one of those wise men who knows everything, but it costs us $21 a thousand to deliver our logs on the ice, in many of our lumbering operations.

Hon. Mr. GORDON—Is the condition in which the lumber trade is to-day not owing greatly to the fact that lumber is on the free list?

Hon. Mr. EDWARDS—It is quite true that the depression in the lumber trade in some measure is owing to free trade in lumber, but that does not alter the fact that many millions of lumber from the United States come into Canada at the moment and at a less price than my hon. friend or I can manufacture it, and protectionists say, 'we will correct that evil at once by placing a duty thereon.' Well, it might help me and my hon. friend, but I would like to know about the fellow who is using the lumber,—the consumer. He is enjoying the momentary benefit to-day, and I say let him enjoy it; it is only a temporary condition, one which I hope will not last very long. The geographical conditions of Canada are such that any tariff arrangement which affects matters, as between Canada and the United States may benefit one portion of Canada and do injury to another, and there are many consumers of lumber in the West who are largely benefited by reason of the fact that lumber comes into Canada free of duty. I say for heaven's sake let it come! On every occasion where it has been suggested that a duty be placed on lumber I have opposed it. On the last occasion, when sixty of my fellow lumbermen went up to Mr. Fielding and asked him to impose a duty on lumber, I went single handed and opposed it. I would engage in no occupation which is dependent for its existence upon a protective tariff.

Hon. Mr. BOSTOCK—Hear, hear.

Hon. Mr. EDWARDS—Furthermore, I would advise any man in Canada embarking in any enterprise to be very careful not to embark in one which has to live on the existence of a protective tariff, and I shall give you my reason for the opinion I express. There are a great many who will

not take example from the great republic to the south of us. There are many of us who believe, however, that we draw our greatest inspiration in so far as activity in all our industrial affairs are concerned, from that country, more than from any other. That country has lived for many years under a policy of protection, but it has made up its mind to do away with that fallacy. It has already made a strong advance in that direction. I prophesied for years, and I state again that the great free trade country of the future is to be the United States of America. That great country has been built up, some will say by protection. I say it has been built up absolutely by free trade. The various states of the Union, instead of the iniquitous condition that exists among the various countries of Europe, trade freely among themselves, and consequently have built up that wonderful and great country. Any observer of conditions looking into the affairs of the past will find that the United States for many years paid its foreign indebtedness in raw material. It is to-day advancing rapidly in paying its foreign indebtedness in manufactured goods; and as it advances in paying its indebtedness in manufactured goods, it advances towards becoming a free trade country. The very men who advocated protection in that country for many years are changing their views very rapidly, and we Canadians, whether we like it or not, have to follow suit, and will follow suit; as protection disappears in the United States it will also disappear in Canada. I maintain that a wise man to-day will not embark in any business dependent upon the protective tariff practice. Why, again I ask thinking men this question; supposing that Canada were not a separate country, but were part of the United States what would be the condition of Canada at present? Canada only began to make any material advance a few years ago, while that great country had been making enormous strides, simply because of the free trade conditions that exist between the various states. If Canada had also been a portion of the United States, do you pretend to say that we would not be more advaned to-day than we are? I maintain that we would; we would be in the same relative position as the various advanced states of the United States. But there are those who say, 'Oh you are an annexationist.' I am nothing of the kind. While I have said we draw our inspiration in a great measure from the United States, so far as manufacture, commerce, etc., are concerned, we are still proud to maintain our British institutions, and we prefer to maintain them, and even suffer, to some extent, consequences commercially that accrue therefrom. If free trade existed between Canada and the United States today, Canada would be in a far more prosperous condition than it is, and it would be the greatest possible advantage to Canada. This brings up the question of the reciprocity issue. I claim that the greatest wrong that the country could do for itself was the refusal of the acceptance of that proposition.

Hon. Mr. MURPHY—Nonsense.

Hon. Mr. EDWARDS—I have made but one trip to the Canadian West, and I was astonished at the great gulf that exists between the East and West. The producers of agricultural produces in the West have to pay for the exportation of that which they produce, over that tremendous dead haul, and they have to either pay duty or freight westward on everything that they consume. There are those who believe that the country is going to remain passive under that condition. I believe the country will do nothing of the kind.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. EDWARDS—So far as this question was discussed yesterday it resolved itself into a discussion of flour and woollen goods.

Hon. Mr. POWER—The discussion yesterday was not intended to be limited to these two points. I am not a gentleman of such extensive knowledge on the subject as my hon. friend from Rockland (Hon. Mr. Edwards), but I simply take those two items as specimens.

Hon. Mr. EDWARDS—I am not one of those who believe that the flour question is one of the great issues, and I take exception also with the arguments of my hon friend from St. John (Hon. Mr. Daniel) who claimed that the farmer should be and is protected. He maintained, as I maintain, that the farmer is the backbone of Canada, and, above all, the men who should be protected. I claim now, and have always claimed, that it is nothing but a fallacy of the worst kind to pretend for one moment that the Canadian farmer lives under protection.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. EDWARDS—He does nothing of the kind. The Canadian farmer lives under a protective condition for everything which he wishes to buy, and sells in a free market everything which he has to sell.

Hon. Mr. DANIEL—Are there no duties on agricultural products imported from abroad?

Hon. Mr. EDWARDS—And among them yesterday my hon. friend quoted tea, coffee and sugar.

Hon. Mr. DANIEL—As necessaries of life.

Hon. Mr. EDWARDS—Tea, coffee and sugar?

Hon. Mr. MURPHY—The hon. gentleman from Rockland——

Hon. Mr. POWER—It is not fair to interrupt.

Hon. Mr. EDWARDS—I do not mind interuptions I have ploughed a lonely furrow for many years in a larger sphere than even this House. I was very much alone in the House of Commons and am much alone here, and I know it, but I am so strong in the faith, that I am willing to plough my lonely furrow. I think possibly my hon. friend who has his hand up to his eyes at the moment (Hon. Mr. Ross, Middleton), is much in sympathy with my views, and I would like to hear him on the subject. Perhaps he will agree with me that the only justification for protection is because it exists. My hon. friend yesterday (Hon. Mr. Daniel) in reviewing the question as to the duty upon flour took a list of agricultural products and showed their importation and the duty collected thereon, but he did not take the exportation of similar articles; if he had done so he would have found that in almost all, excepting perhaps in one or two instances, enormous surpluses are exported, which, of course, fixes our home price. If he is the defender of the farmers I must ask him to study the question; if he does he will change his attitude.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. EDWARDS—He is a protectionist, as I was once, but it was in my infancy; I changed my mind on the subject before I became 20 years of age, and I did it on my own initiative, and not because I had read on the subject.

Hon. Mr. BEIQUE—The hon. gentleman might have changed it prematurely.

Hon. Mr. LOUGHEED—And immaturely.

Hon. Mr. EDWARDS—My hon. friend, for whom I have the greatest regard is a great corporation lawyer, and a great man. I would advise him, if he desires to remain tinctured to some degree with the protective proclivities, not to study the question. He is too brainy a man to study the question, and remain a protectionist. This is not a subject that permits of an intelligent study on the part of any man, without convincing him—unless he is actuated by a desire to remain a protectionist. As to the suggested reciprocity agreement, sentiment no doubt entered very largely into the question—there is no doubt about it at all. England received the worst commercial blow that she has received for many years by the rejection of reciprocity by the Canadian people. That looks strange. I will endeavour, however, to explain the reason I entertain this view. We buy largely from England, sentimentally we would buy everything from England if we could do so. Why do we not? Because England has not the requirements which we want. She has not for sale many of the articles which we require. The United States being a similar country to our own, producing a variety of things which we naturally require, and because of the convenience we buy largely from her. You can enhance the British preference to any degree you please, and it will not largely increase our trading with Great Britain in so far as our purchases are concerned, but it is absolutely impossible to hinder the growth of traffic between the United States and Canada. It has increased by leaps and bounds for years past, and will increase by leaps and bounds for years to come,—largely, a great many claim to the advantage of the United States—I claim equally to the advantage of the people of Canada. It is as important for a man to buy well as it is to sell well, and what is commerce after all? Commerce is the interchange of the product of labour and that only, and any instrumentality that stands at the line between Canada and the United States and says that the labourer of this country shall not buy freely from the labourer of that country and vice versa, advocates something which is not in the best interests of mankind. The reason I became a free trader, as I am, is that I believe that each and every country has resources which are natural to the country. And the people of each country, devoting themselves to producing that which is natural for them to

produce, and exchanging with other countries for their product, is the condition which is best for mankind. But the iniquity is not in a revenue tariff, but in a protective tariff which prevents a free exchange, until tribute is paid,—not to the treasury, but to the manufacturer. There is no justice in that. It is an infamy, I claim, and for that reason I am a free trader. Now dealing with the article of flour which was referred to yesterday, a mistake was made in the discussion here as well as in the House of Commons. It was claimed in the other Chamber by a strong debater discussing the Budget that it would be a grand thing if we could manufacture all our wheat into flour in this country. We would then have the offal to sell for feeding animals. He thought he had discovered a great point; but if he had thought for a moment he would have realized that such a thing is impossible, because Europe which purchases our wheat does not want our flour; it wants our wheat to mix with the wheat of other countries. England requires about 200,000,000 bushels of wheat annually. Of that amount she produces 50,000,000 bushels, and has to purchase 150,000,000 bushels, and of that quantity Canada supplies about 35,000,000 bushels, the balance coming from other countries. Why does she not buy all of it from us? Simply because she wants to produce cheaper flour by mixing our hard wheat with the wheat of other countries; and that is where one of the greatest mistakes was made in discussing the reciprocity question,—that our wheat must necessarily flow from the West to the East. The fact is not a very much greater quantity of wheat will go to the eastern markets in the near future, than is going to-day. Some people think we should rush the construction of our railways and canals to transport our wheat to the East. I should like to ask if there is any use in increasing facilities for transporting our wheat to countries that do not want it? But there is a country that is going to require, in the near future, large quantities of our wheat, and that country is the United States, and a great mistake was made in dealing with reciprocity upon that very point. I remarked a little while ago that England had received a commercial blow because we did not adopt the reciprocity pact. We Canadians desire to buy all we can with the surplus we have to sell. Many think that we pay our requirements in money. We never pay in money; we will always pay our foreign indebtedness with our exports. To-day I am sorry to say that we are borrowing largely for that purpose, but in time this will disappear. We buy all we can from England of that which she has to sell, but I am one of those who believe that if freedom of trade in natural products between Canada and the United States had gone into effect, Canada would have received an impetus and development such as she had never known before, and consequently our purchases from England would have increased with our development. England, I claim, lost seriously because the reciprocity bargain was rejected. Coming again to the question of flour I frankly say I do not believe there is a millers' combination in Canada. Prices may vary because of local conditions, but there is no general combination. There are certain large milling establishments in Canada, and I admit they control wheat grinding in Canada to a great extent, but the market requirements make it necessary for them to follow closely conditions as they arise; they cannot be far apart in their prices for flour.

Hon. Mr. WATSON—They control the home market.

Hon. Mr. EDWARDS—To some extent.

Hon. Mr. WATSON—Wholly.

Hon. Mr. EDWARDS—I cannot admit that. I am a large buyer of flour myself, and buy from different firms, and I find that they differ as to prices. The manufacture of flour is done on a very small margin of profit. If a miller can get a profit of 25 cents a barrel on his flour he would soon become so rich that he would not know what to do with his money. As to the various prices quoted on flour, I cannot give an explanation. The statement may be true, but I cannot believe that there is a difference of one dollar in the prices of flour between Liverpool and Montreal. My hon. friend (Hon. Mr. Daniel) in dealing with this question mentioned the various articles which the farmers produce, and which are subject to a duty when imported, and showed that the farming industry is protected. I deny that. If there is a class in Canada that is living under a serious delusion, it is the farmers who believe that they have protection. If there is a wrong done to any class above another, it is to the farming class by the protective tariff. You ask me would I remove the evil at once; I say no, but I would not do as some administration do—I would not take one specific

article and admit it free, while giving enormous protection to others. I would establish a uniform tariff, and give notice that automatically, within a certain period of years, I would reduce the tariff absolutely to a revenue basis. There I would maintain it until the people of Canada are prepared to adopt free trade, which is in the interest of the consumer, and which, in my humble opinion, is in the best interests of the country as a whole.

Hon. Mr. TAYLOR—It is not my intention to deal with the remarks which have just been made by my hon. friend from Rockland, (Hon. Mr. Edwards). He, as he admits himself, stands alone in this House on either side, and I think he occupies the same position in the country. He has preached free trade for a great many years, and as yet has not many followers. But I do intend to say a few words in reference to the resolution now before us. It calls upon this House to express regret that the Government, having decided to alter the tariff, have made no effort to lessen the cost of living by reducing the duty on the necessities of life. If he had worked that differently and blamed the Government for not interfering with high living —which makes the cost so great—there might be something in it. We are living too high. I had the honour while in the House of Commons—and I live in the same constituency now—of representing a purely agricultural district, and I asked then how the reduction of the tariff would affect the cost of living to the farmer. In my opinion the farmer has benefited more than any one else in the community by protection. He raises most of what he consumes; he raises all his own meat, eggs, butter, cheese, potatoes, vegetables, flour, &c. Whether the prices are high or low he has to consume so much of his product. If the prices are high he benefits by what he sells. On the other hand, everything that he has to buy in the shape of implements, mowers, reapers, binders, horse rakes, ploughs, harrows, scythes, rakes, spades, shovels, hoes, wagons, buggies, sleighs—all are cheaper than they were ten or fifteen years ago. These are the farmers' implements. Then we come to the articles he consumes, which he does not raise on his farm. His clothing, cottons, prints and all kinds of dress goods are as cheap to-day, or cheaper than they were fifteen years ago. His tea, sugar, raisins, currents, and all kinds of groceries are as cheap or cheaper than they were fifteen years ago.

Hon. Mr. KERR—Where do you do your buying?

Hon. Mr. TAYLOR—At home. The working man is in the same position as the farmer, with the exception that he has to buy his flour, potatoes, vegetables and supplies of that kind, and he gets them practically as cheap as he did before while his wages—owing to the increased employment brought about by protection—is from 20 to 50 per cent and in some cases 100 per cent higher than they were fifteen years ago. His wages have increased and he pays little more for the articles he has to consume. There is a class, that we might call parasites, who live on stated income. Perhaps it may include members of Parliament in both Houses, also those who have $25,000 and $50,000 in the bank which they will not employ in any industry, and from which they derive the income on which they live. They have to pay more for rent, and that reduces their income, but they are practically the only men who are affected by the increased cost of living. The farmer is better off because he is getting better prices for his surplus products. You do not hear the farmers complaining about the higher cost of living. They are the wealthiest class in the community to-day, they are making money and have been making money for years. The hon. member from Rockland said that protection did no good to the farmer. I was in the House of Commons a great many years ago when the protective tariff was introduced. Under the pressure of the lumbermen, pork was admitted free of duty. I stated in the House of Commons, and established the fact, by reference to the Trade and Navigation returns, that we had imported the year before into this country so many thousand barrels of pork, while hardly any pork was being raised by the farmers. I showed the large amount of money that we paid to the packers of the United States for the pork imported into this country. I showed that we sent our money there, and all we have to show for it was the bone and muscle produced by the consumption of the pork in this country. I advocated that a duty be placed on pork, and the Government acted upon the suggestion. What was the affect? Ever since, we have been producing enough pork in this country to feed our own people, with a surplus for export. The same applies to other articles. The farmers in this country are protectionists; there are no free traders

among them. In the best interests of our people we should protect everything that we can produce in this country, and such a policy will be the best thing for the people of Canada.

Hon. Mr. McHUGH—A word or two that dropped from the hon. gentleman from Leeds (Hon. Mr. Taylor) leads me to express my views on this question. He says there are no free traders amongst the farmers; perhaps there are not many, because the condition of the country does not permit it, but there are a great many who would be free traders under other conditions. I know farmers who are revenue tariff men, and there is a vast difference between a revenue tariff and a protective tariff. I have been a farmer all my life and my idea is that revenue begins where protection ends, and ends where protection begins. A protective tariff helps the manufacturer. The tariff only helps the exchequer of the country when it is a revenue tariff. As soon as the tariff is lowered sufficiently to admit foreign products in competition with our own, it ceases to be a benefit to the manufacturer. When the tariff is sufficiently high to prevent foreign manufacturers competing with our own, then it is a protective tariff, and most of the profit derived under that protection goes into the pockets of the manufacturers of Canada. Now you cannot protect the farmer. The only help we can give him today is to protect him against the monopolies caused by protection. A tariff of ten or fifteen cents a bushel on wheat is no protection to the farmer, because the prices in foreign markets regulate the price of wheat; it is not regulated by the quantity consumed at home. So long as the farmer is producing for export, the prices in the foreign market regulate the prices of the products in the home market. You cannot tell me that the farmer has any advantage from a duty on pork, when he is selling millions of dollars worth of it in foreign markets. At times, owing to local conditions, there may be a scarcity in some commodity, and the farmer may enjoy the benefit of higher prices because of that scarcity. But that is nothing to base a tariff policy upon. As the hon. gentleman from Rockland (Hon. Mr. Edwards) said, when the tariff was taken off lumber the consumer got the advantage. It would be the same in the case of the farmer, if a similar policy were pursued with reference to the products of the farm. I watched the conflict in the House of Commons on the proposed reduction of the duties on agricultural implements, and I felt that it was wrong to keep high duties on some articles while others were admitted free or at a low rate. There was an inconsistency in bringing in a Bill to reduce the tariff on a few classes of products, while retaining the high duties on others. Implements, mowers and binders are admitted at a duty of 12½ per cent, while wagons are taxed 25 per cent. Is not a wagon more required by the farmer than a mower or binder?

Hon. Mr. TAYLOR—He can get it at home.

Hon. Mr. McHUGH—And put 25 per cent of its value in the pockets of the manufacturer. Is that the protection the hon. gentleman would give the farmers of this country? Too often these professional gentlemen pose as experts in telling the farmers how they can conduct their business. The farmers know just as much as they do about conducting their business. Those gentlemen are professionals in the line of politics, and think they can hoodwink the farmer, but they do not often succeed. I repeat the best protection you can give the farmer is protection against monopolies. Some of them got a lesson last fall when the Wilson tariff went into operation. They found that it added millions of dollars to the value of their stock on their farms. The price of meat is very high.

Hon. Mr. TAYLOR—You produce it.

Hon. Mr. McHUGH—Yes, but it is no higher than it is in other countries. Before the Wilson tariff went into force in the neighbouring country, we were not fairly treated in the sale of our cattle. The packers were making more than they should out of the farmer. They got our stock at their own prices, but now they have to face the competition of buyers from the United States. Before the adoption of the Wilson tariff buyers were able to purchase cattle at $1 a hundred less from the Canadian farmer than the United States buyers were willing to give. The meat was bought at a low figure because there was no competition, and when it was shipped to England and came in competition with meat from the United States and other countries, they were able to sell at a higher profit because there was no competition in the home market. It made millionaires of many of them and very quickly too. I know some of them who started in business without much capital who became millionaires in a few years out of what they unjustly made out of the farmer.

Hon. Mr. DERBYSHIRE—Hear, hear.

Hon. Mr. McHUGH—I should like to know if the hon. gentleman thinks that a tariff on cheese and butter would be of any assistance to him?

Hon. Mr. DERBYSHIRE—I am in accord with the hon. gentleman.

Hon. Mr. McHUGH—I know that, and I have asked the hon. gentleman to back me up. You would rather see a free market for your products.

Hon. Mr. MURPHY—No they would not.

Hon. Mr. GORDON—Does the hon. gentleman agree with the hon. member from Rockland (Hon. Mr. Edwards) when he said that the absence of a duty on lumber would tell against the manufacturer and in favour of the consumer? If he does, does it not follow that if the products of the farmer were put on the free trade basis, the farmer might be at a disadvantage but it would be in favor of the consumer.

Hon. Mr. McHUGH—No, and I would tell you why; the farmer has to sell his products in the markets of the world, where the prices are regulated. He has no opportunity to produce against the man who pays wages of perhaps four pence a day. Our wheat, barley, and other products have to compete against that sort of thing.

Hon. Mr. GORDON—The hon. gentleman is referring to wheat only?

Hon. Mr. McHUGH—Our cattle have to compete against the cattle of South America and other countries. With lumber it is entirely different. The Canadian lumberman can put his price up to the height of the duty, and increase it to that extent to the consumers of Canada. At the same time he can compete with foreign lumbermen in the markets of England. He will meet the competition of free lumber in England, at the same time selling at the protective price in Canada.

Hon. Mr. GORDON—Does not the farmer do the same thing?

Hon. Mr. McHUGH—He cannot. Name one article that is in that position.

Hon. Mr. GORDON—Pork and beef are in that position.

Hon. Mr. McHUGH—Do you mean to say that the farmer sells his pork to the consumers in Canada?

Hon. Mr. GORDON—Yes.

Hon. Mr. McHUGH—The manufacturers set their prices in the large centres and send their men out and say, 'we are going to pay you so much next week;' the farmer does not set the price of his products, but the lumberman does set the price of his.

Hon. Mr. GIRROIR—The importance of this question demands that we shall all say something upon it. The resolution before the House is to the effect that the Government should have lowered the tariff in order to lessen the cost of living. The theory of protection is, as I understand it, that articles manufactured in the country are protected by the duty which shuts out the same products manufactured in other countries. This has the effect of building up these manufacturing industries, of giving employment to the people working in those factories, of making a home market for the producers of the country, and generally it helps to bring about prosperity to a greater number, and for more diverse classes of people in the country than any other system I know of. Free trade, as has been stated here, if you may take your conclusions from the manner in which the arguments have been presented to this House, is to my mind nothing more than a dream. It is impracticable. We must have a revenue for the country; in order to raise that revenue it is necessary to impose duties on goods imported into it. I have always heard it contended by our friends on the opposite side that the Conservative party of this country were the friends of the manufacturer, and that they themselves were the friends of the farmer and labouring man. If this resolution is carried into effect, it would show those standing up for it and supporting it are the friends of the manufacturers. The farmer is a producer, and is not a manufacturer. He produces upon the farm eggs, butter, meat, etc., and the different other products of his farm, and he tries to market those in the best markets. If the tariff is reduced on the products of the farm, which the Canadian farmer is selling in such large quantities to-day, in the home market, the result must necessarily be to allow large quantities of food products from foreign markets to come into Canada, and surely no one can contend that this large importation will not affect the market of Canada to the farmer. It is bound to bring down the market, and to make the price of the products of the farm less, because the larger the quantity of a certain article for sale in any market, the smaller the price of that article

must be. To-day in Canada the farmer is more prosperous than he ever was. There was never a time in the history of Canada when the farmer enjoyed such great prosperity; and why? Because the protective policy—the National Policy which has never been changed, and which has been in effect in this country since 1878,—has built up in Canada large home markets, and these markets have been protected to the farmer of Canada. He has had opportunities to sell in those markets to the exclusion, to a certain extent, of everybody else, and the result has been that the manufacturing industries of the country have grown up. The further effect is that the farmers of the country, selling to those men who are manufacturers and labourers in the factories of the country and not producers, are now in a real condition of prosperity. The great difficulty we have to face in this country at the present time is not that the farmers are not prosperous, but that people attracted by high wages in the towns and cities in Canada, have been leaving the farms and going into the cities, we have to-day this result, that the towns and cities are overcrowded, and that the farms are being deserted. I am against any line of policy that is going to lower the cost of agricultural products, because I believe that the higher you keep the price of agricultural products the more hope you can have that the time will come when these people, who have left their farms and gone to the cities and towns of Canada because they could have a little more ready money, will return to their farms. I hope and believe that the keeping up of the high prices of farm products will drive the men back to the farm which they never should have left. What have we in the neighbouring republic to the south? We have there a large agricultural community, as well as a great manufacturing community. The production on farms in the United States in 1912 was no less in value than $9,532,000,000 and they exported from the United States in 1912, $1,050,000,000 of farm products; that was their surplus. Here we are situated alongside of a neighbour having such a tremendous production of agricultural products, having over a billion dollars worth of agricultural products to export each year, and yet our friends opposite would say 'take down the value, take away the protection from the farmer, and allow this large amount of agricultural products to come into Canada and enter into competition in the home market with the farmer of Canada.' I say that is not a desirable policy at all. This resolution speaks of cutting down the tariff on agricultural products which affords the protection to our farmers. I have looked in vain through the resolution to find any proposition to cut down the duty on manufactured goods. Evidently the hon. gentlemen who are anxious to pass this resolution, are not friends of the farmers of Canada, but of the manufacturers. The markets of Canada are of more value to our farmers than any outside market could be. The home market is always the best market, because the farmer wants the nearest market. The home market means a big industrial population near at hand. It means that the farmer can leave his farm in the morning in very many cases, sell his products and return home in the evening with his cash or whatever he wants to bring with him. After all is said and done, what is the real good? I am not speaking now of the wheat farmer, because perhaps there is some distinction between him and the ordinary farmer in the country—the farmer in the Maritime provinces for example. What is the good of a foreign market to the farmer in the Maritime provinces? It is absolutely no use to him. The cost of transportation, the uncertainty as to a change in prices before his goods reach that market, make a foreign market not at all desirable. You may call the system protection or you may call it a tariff for revenue, and its practical results are the same. Since the change of Government in 1896 we have practically the very same tariff in Canada as we had before. Our friends went in in 1896, and they made no radical change in tariff. The same old National Policy has been in existence right along. You may say that the National Policy during the years our opponents were in power was a tariff for revenue only. If it pleases them to call it that, I certainly have no objection, but it is the same policy of putting the duty upon goods coming in from a foreign country and protecting the production of those goods in the country that enacts the tariff. The cost of living has increased, it is true, but the wages paid have also increased. All over the country men in all walks of life are demanding higher wages, and getting them. The conditions would be ideal in Canada to-day were it not for the fact that the people have left their farms, and such a large body of immigrants has come into the country, and not gone on the farms, but into overcrowded cities to such an extent that when the slightest depression comes there is not sufficient employment for them. If we can keep up the price of farm pro-

ducts, if we make it profitable in Canada for the farmer to stay upon the farm, then in a very short time these people who are crowding the city will find it to their advantage to go back to the farms, and then we will have an era of prosperity in this country, such as has never been seen before. Our opponents would make us believe that during the time they were in office there was no increase in the cost of living. I have here a table which has been prepared by the Department of Labour, and it shows the comparative increase in the cost of the necessaries of life from 1890 up to the present time. What do we find? We find that there was a steady increase during 1890 right along up to to-day. Our friends went into power in 1896 with a large majority; they were in power for fifteen years, and during all that time they made absolutely no effort to reduce the cost of living. Now, when they get in opposition they have a remedy, a panacea for every ill. They are ready to enact legislation they never dreamed of enacting when they were in power. They did make an attempt in 1911 to lower the tariff on certain articles, and what was the result? What did the people say about it? The people said, 'you went into power in 1896, and you went in under a pledge that if you were put into power you would substantially reduce the tariff.' It is true you promised us absolute free trade, it is true you promised us free trade as it is in England. It is true that you promised us unrestricted reciprocity and many other things, as diverse and different as they possibly could be, and we cannot expect you to fulfil all these promises but we surely can expect that you will at least make some attempt to reduce the tariff according to the promise you made. They said further, 'You have been in power fifteen years, you have had support, you have been sent back to power on each occasion on which you have gone to the people, and now you have made absolutely no attempt to lower the tariff.' This is what the free traders say. Now, in 1911 you come along with a proposition to lower the tariff, and it is not a lowering of the tariff all around. It is a lowering of the tariff only on certain articles, and the result will be that we will have no relief from what we supposed was a taxation on us. The result will simply be that our markets, the markets of the farming people of Canada, who are the backbone of the country will be flooded with the surplus products of the United States, and we are going to vote against that policy. And they did. So that in view of their lack of action while they were in office, they have no justification in proposing, now when they are in opposition, and when they can do absolutely nothing, a reduction in the tariff. For my part, I believe that a protective policy is the best policy for this country. I believe it is the best because it takes care of and builds up every industry in the country. Now, they say, 'Take the tariff off, and down comes the price of articles that we need, the necessaries of life.' They say they substantially reduced the tariff. They say they did really carry out their pledges. If you admit that statement for the sake of argument, let us see what the effect of their action has been. This table is arranged, in this report, so that the prices shown by index numbers, is based on the average of 230 and 270 selected commodities in the periods from 1890 to 1899. Take dairy produce for instance. The figures are as follows:

1890	103.0
1891	106.2
1892	105.8
1893	110.4
1894	104.6
1895	94.8
1896	90.1
1897	90.1
1898	92.9
1899	101.4
1900	109.0
1901	120.5
1910	135.7

In 1896 when the Liberals went into power in this country the price of dairy products increased from 90.1 to 135.7 in 1910, and this is true of all the necessaries of life, all the farm products. They have all gone up in price since 1890. In 1896, 1897, 1898, 1899, and right along during the time our opponents were in power, prices were mounting higher and higher in spite of the fact that they were governing the country, and were arranging the tariff; in spite of the fact that Rt. Hon. Sir Wilfrid Laurier was at the head of the Government, a democrat to the hilt, and a free trader to the hilt; in spite of all this, the price of the necessaries of life was mounting higher and higher. Then there must have been some other cause, some other reason than that which is alleged by hon. gentlemen opposite. In 1912 we imported into Canada agricultural products, $43,936,620; we imported animals and their product, $29,499.117; will anybody tell me that it is going to make for the progress

of Canada and for the upbuilding of this country, to import these animals from the United States and the Argentine Republic, and other countries? Will anybody tell me it is better for us to buy our farm products from abroad than to buy them from our own people, the farmers of Canada? They say that the policy of protection has not built up Canada. They say that Canada would have gone ahead further and faster if we had free trade. Well, figures do not lie. In 1868 the aggregate trade of Canada was $131,027,000. What is it to-day? It is over the billion dollars mark. The trade of Canada last year was $1,085,264,449, and yet they say that Canada is not prosperous. Why, when hon. gentlemen opposite were governing the country on every platform in this country and in the press and in Parliament it was their proud boast that Canada was prospering, that there was great prosperity in Canada, that she was going ahead by leaps and bounds; if she was going ahead, she was going ahead by leaps and bounds under a protective policy. I for one, whatever my deficiencies may be—and they are many—cannot see that it is not in the best interests of Canada to maintain a protective tariff. It may be called by some a revenue tariff. I have no doubt that when our friends get into power, which may happen in our lifetime,—they will call it a revenue tariff, but they will not dare lay unholy hands upon that tariff, which has so long and so successfully helped to build up and maintain the prosperity of this country, of which we are all so proud.

Hon. Mr. SMITH—The mover of this resolution evidently does not agree with the hon. senator from Victoria, Ontario. That hon. member seems to think that the protection of farm products did not advance the price and did not benefit the farmer. That was the whole trend of his vigorous argument. The mover of the resolution seems to have a diametrically opposite opinion. His proposal is that the Government should have taken the duty off the necessaries of life. What for? What object can the hon. gentleman have in taking the duties off the necessaries of life, except to reduce the cost. We have heard a great deal about the great cost of living, and the hon. gentleman doubtless thinks that if the duties were taken off the necessaries of life, it would reduce the price of them. What are the necessaries of life. They are chiefly the things the farmer grows and has to sell. Therefore if the mover of the resolution is right the taking of the duties off the products would reduce the price. Therefore the duties that are imposed must have in view obtaining of a higher price for the farmer for his products, notwithstanding what the hon. gentleman said. I believe the hon. mover of the resolution is right, that the duties on the farm products do increase the price. If the hon. gentlemen on the other side, or in the other Chamber, want to go to the country on that ground, I believe the Conservative party would be only too delighted to do so. I for one would not desire any better issue to go to the country on than that. The effect of the imposition of the duties has undoubtedly been to increase the price to some extent to the farmers. That was the object of the protective tariff, when that tariff was first framed in 1878 the main argument in its favour was to build up a home market which would bring better prices to the farmer of Canada. The protective tariff has been in operation for 35 years, and it has had that effect. It has brought to the farmers of Canada a better price for their products. The home market, as has been truly said, is the great market. The home market takes 80 per cent of our farm products, and that 80 per cent is chiefly composed of articles which are the most profitable to the farmer. The surplus exported abroad are chiefly the articles less profitable to the farmer. So that it should be surely the duty of the Government to maintain the home market for the farmer of Canada. That is the object of the National Policy and it has been achieved; would the farmers not be consummate asses at this stage, after they have that extremely valuable market built at their own doors, to throw it open to all the markets of the world? They are not asses; they showed it in 1911 on election day. The farmers of Ontario and Maritime provinces showed that they were not asses. Those who grow wheat only, call themselves farmers, but I call them miners, not farmers. The great majority of all the genuine farmers of Canada who carry on mixed farming, the only profitable and proper kind of farming to carry on, voted against the proposal of the Government to admit the farm products of all the world into this country free. Let us take a few of those items. Some hon. gentlemen seem to think we do not import any farm products, that we are entirely an exporting and home producing country. On nomination day at the last election I was speak-

ing to a gentleman who had been a member of the local legislature, and I told him that we were largely importers of potatoes. He objected and denied it. He said: 'We do not import potatoes, we are great exporters of potatoes,' and I had to show him by the blue-book that he was wrong. The trouble was that he had not studied the question, and I fear that was one of the reasons why the leader of the former Government, Right Hon. Sir Wilfrid Laurier made the mistake he did—he had not looked up the trade and navigation return. There was a time twenty or thirty years ago when we were large exporters of potatoes, butter, eggs, horses, lambs, calves and a lot of other stuff. We depended upon the American market for the trade of these things. At that time the cry for reciprocity was a true one, and had a great deal of foundation in it. The time has changed, and instead of being exporters we were importers. The boot is on the other foot. We did not need their market, and Sir Wilfrid neglected to notice that, and when we came to discuss the question it was easy to show the farmers and others, and they were quick to see that it was our market the Americans wanted, and not that we wanted their market. It was easy to show that we were importers of butter, eggs, etc.

Hon. Mr. DANDURAND—And yet the United States farmers were against the reciprocity pact, because they were afraid of the Canadian products invading their market.

Hon. Mr. SMITH—We only have to sympathize with them. They were wrong, as they sometimes are, as well as our people, but our farmers were right. They saw the point. They say we had this splendid home market built up, and they had to some extent helped to build it. We will not deny that to build up the home market has cost the country something, but it is an investment, just as the underdraining of a farm is an investment. The farmer realizes that if he spends money to underdrain his farm, he will get the money expended back with good interest. The building up of the home market was an investment. The great bulk of the people of the country knew this was going to cost them something, and it has cost them something; the farmers understand that, but they have the market to-day, and know it is the most valuable market in the world to-day—five times more valuable than all the foreign markets. But if the hon. gentlemen of the Opposition want to make that an issue, let them proceed. Sir Wilfrid Laurier spoke in Hamilton within the past year, and stated that he was going to have as his battle-cry free food. We all know that when it came to the test in the House of Commons he did not nail that banner to his masthead. Let him do it. We have built up this market in Canada, and we are going to keep it. The farmers in the country have sense enough to see it is their most valuable asset and we are not going to do away with it. We brought into the country, notwithstanding a certain amount of stagnation in this country, $189,000 worth of foreign cattle, $607,750 worth of sheep; $297,101 worth of beans.

Hon. Mr. McHUGH—How many hundred thousand dollars' worth did we send out during that time?

Hon. Mr. SMITH—I do not know. It does not matter. We did not send out many sheep or much beans, but it does not matter. Does the hon. gentleman suppose the people who have these articles to sell would send them into Canada and pay the duty unless they were going to get a higher price than in their home market.

Hon. Mr. McHUGH—It depends on the local condition.

Hon. Mr. SMITH—Does a man hunt around for a market where he will get left? The very fact that these articles were sold here would show that the prices were higher here than in other countries. Notwithstanding the fact that this is an apple producing country, we brought into Canada last year $1,039,500 of apples from the United States. Does anybody pretend to say it would benefit this country to have reciprocity in apples.

Hon. Mr. McHUGH—If they got them cheaper would that hurt the consumer?

Hon. Mr. SMITH—You are turning the other side of the shield. A while ago the hon. gentleman was solicitous about the farmer, and now he is solicitous about the consumer. The trouble with all these hon. gentleman is that they have only one farmer in their mind—the man who grows wheat. He is not a farmer, he is a miner. He gets a new farm in the West, which costs little or nothing. The virgin fertility is in that land, and he mines it out and sells it. That is not farming at all. He is as much a miner as a man who goes into a mine in Cobalt and digs out silver and sells it. In order to retain the facility of the soil, a man must carry on mixed

farming. He cannot do it any other way. We brought in large quantities of other food. We brought in $316,506 worth of plums; and pears, $446,388. Do you suppose these growers are going to favour handing our home market over to foreigners? You talk about the rush of farmers to the cities, and you want them to go back on the land, and yet you are going to make it less profitable for them. You are proposing now to put them back on the land, and put them in a position where they will get less for their products. We brought into this country in the last eleven years, notwithstanding the depression that exists to some extent, 14,000,000 pounds of butter, and Canada is an agricultural country, perhaps more suitable for the production of butter than almost any other country in the world, with few exceptions anyway. Ten years ago we were exporting six or seven million dollars' worth of butter, but times have changed, the National Policy has built up new industries and created a consuming population, and we have imported 14,000,000 pounds of butter from the United States to Canada. Would the farmers be benefited if the duty were taken off the butter? No, take the duty off butter and less will be received. You wish to drive the city man back to the farm, and yet you are going to give the farmer three or four cents less for his butter. You cannot stuff that down the farmers throats, they have brains and they can see these things. We brought in one million dollars' worth of pork, nine million pounds of lard, and 7,500,000 dozen of eggs. These are all agricultural products. Does anybody say that if the duty were taken off the farmer would be benefited. The consumer is paying a little more, and he is the man who is getting good wages. The labouring man and others in this country have been so benefited by the National Policy and by the magnificent industries which we have in Canada; the labouring man is getting better wages, and is willing to pay a little more for eggs. He gets just twice as much wages as he would get in England with free trade. Our artisans and mechanics are getting more than double and can afford to pay a little more for the articles and keep the farmers on the farm, and make it profitable for the farmers to stay there.

Hon. Mr. POWER—The hon. gentleman has been giving an elaborate account of the way in which the Fielding tariff has benefited the country. The great improvement has taken place since 1896.

Hon. Mr. SMITH—The Fielding tariff has not changed the National Policy in one iota in regard to agricultural products. The only change was a reduction of one-third in goods from the old country, and Britain does not export any agricultural products. I was just about to touch on that preference to the old country. My hon. friend spoke of the woollen industries, and urged that woollens were a necessity of life and urged that the duties should be reduced on them in order that we should get them cheaper. Why did he not urge on the predecessors of the present Government in the same way? Does he not know that the Government, when it gave the preference in favour of England, when the duty was 35 per cent, and the preference brought this duty down to 23½ per cent, that the manufacturers insisted that they would be ruined, and did the previous Government not raise that duty from 23½ to 30 per cent?

Hon. Mr. POWER—I have always held the same view I hold to-day. I have never been able to understand why the late Government made the change they did on the woollens in 1907. It was, in my opinion, one of the most unwise and improper things that Government ever did. This is not supposed to be a political chamber, and we are supposed to argue things on their merits, not on what the late Government, or this Government, or the Government of the late Sir John Macdonald did.

Hon. Mr. SMITH—My object in pointing that out was to show the inconsistency of the hon. gentleman in his attitude, to show there must have been some very good reason why the manufacturers of woollen goods should have 30 per cent protection, or else the late Government—which professed when they were in opposition to be a free trade Government—would not have granted their request. If that Government were convinced that the woollen manufacturers required 30 per cent protection there must have been something in it. The whole fabric of the necessity of a protective tariff, no matter what any man may say, is the difference in the cost of wages, between this country and the old country. We cannot manufacture goods in this country as cheaply in many lines as they can. If we had as cheap labour we could, but can anybody show how it is possible for a manufacturer in this country paying two dollars a day, compete with manufacturers in another country where they are only paying one dollar. It is absurd; it is impossible;

it resolves itself into a question, do we want the industries or not? Is Canada going to be better with the factories or without them? You cannot get away from that. I say we are better with the factories, and the wages, and the higher cost of living, and the United States is proving it. The hon. gentleman from Rockland said that the United States was an enormous free trade country, one state trading freely with another. When the United States found that England was shipping in enormous quantities of manufactured goods, they put the duties on and they have become one of the greatest manufacturing countries in the world. What have the interchange of commodities between the states to do with that? Nothing whatever. The fact that they put the duty on tin plate, and everything they manufactured in that country, and built up gigantic industries. We all know now that they are able to manufacture as cheaply as any other country in the world, and arguing from analogy, we should have the same results here. This is a very moderate tariff. Mr. Fielding called it a revenue tariff, because it produced a revenue. There is a great deal of misconception as to what a revenue tariff is. My idea is that a revenue tariff is a tariff on articles we do not manufacture in this country, tea, sugar, etc., but a protective tariff is one levied on goods which we can manufacture in our country; that is nearer the proper definition of a protective tariff. If the opposition in this country desires a contest on this question of taking the duties off, after having had one contest recently, we are ready to meet them at any time they like on that question. This question has been before the people for thirty-five years. It was first introduced in 1878 by Sir John Macdonald, and the people pronounced upon it, and pronounced in favour of protection.

The motion was agreed to, and the debate was adjourned.

CANADIAN NORTHERN RAILWAY BILL.

FIRST READING.

A message was received from the House of Commons with Bill (80), An Act respecting the Canadian Northern Railway Company.

The Bill was read the first time.

Hon. Mr. LOUGHEED—I move the Bill be read a second time to-morrow.

Hon. Mr. BOSTOCK—We have only had the document brought down to-day. Is it the intention to bring down the other document not printed?

Hon. Mr. LOUGHEED—All the documents are printed in the blue-book, and it has been distributed for some time.

Hon. Mr. BOSTOCK—I understood there were other documents.

Hon. Mr. LOUGHEED—I am unaware of any other.

The motion was agreed to.

The Senate adjourned until three o'clock this afternoon.

SECOND SITTING.

The SPEAKER took the Chair at Three o'clock.

Routine proceedings.

FOOD INSPECTION.

INQUIRY.

Hon. Mr. LAVERGNE inquired:

1. How many food inspection districts are there and what is their territory?
2. Names of inspectors, sub-inspectors and assistants, if any?
3. What salary or emoluments are paid to each of them?
4. How long have they been in the public service, and date of appointment to their present position?

Hon. M. LOUGHEED—The answers to the questions are as follows:

Name of Food Inspection District and Territory.	Name of Inspectors or Assistant Inspectors.	Present Salary.	Date of First Appointment in the Inland Revenue Service.	Date of Appointment as Food Inspector.	Length of Service. Approximately.
		$ cts.			
Nova Scotia—the whole Province	R. J. Waugh	350 00	13 Feb., 1897	13 Feb., 1897	17 years.
	E. T. Mackeen	200 00	16 Jan., 1914	1 April, 1914	4½ months.
Prince Edward Island—the whole Province	W. A. Weeks	200 00	3 March, 1911	1 May, 1911	3 years.
New Brunswick—the whole Province	Jas. C. Ferguson	200 00	18 May, 1887	1 July, 1888	27 "
Quebec—which comprises the City of Quebec, Montmorency, Charlevoix, Chicoutimi, Saguenay, Levis, Dorchester, Bellechasse, Montmagny, L'Islet, Kamouraska, Temiscouata, Rimouski, Bonaventure and Gaspe	F. X. W. E. Beland	300 00	13 July, 1906	26 Sept., 1906	8 "
	F. X. Roy	100 00	25 Oct., 1912	25 Oct., 1912	20 months.
	A. Pelletier	300 00	10 May, 1912	1 Oct., 1912	2 years.
	O. Brochu	100 00	1 June, 1913	1 June, 1913	1 year.
	T. Gendreau	100 00	1 Feb., 1914	1 Feb., 1914	4 months.
	J. E. Audet	200 00	1 April, 1914	1 April, 1914	2 "
Three Rivers—which comprises the City of Three Rivers, the Counties of Terrebonne, l'Assomption, Montcalm, Joliette, Berthier, Maskinonge, Three Rivers, St. Maurice, Champlain, Portneuf, Vercheres, Richelieu, Yamaska, Nicolet, Lotbiniere	V. P. Lavallee	400 00	27 March, 1912	27 March, 1912	2 years.
	N. Cadieux. (Terrebonne County). See also Valleyfield Food Inspection Dist	200 00	17 Nov., 1913	17 Nov., 1913	7 months.
Montreal—the City of Montreal and the Island	J. J. Costigan	500 00	18 March, 1888	4 April, 1888	28 years.
	D. J. Kearney	400 00	16 July, 1894	1 April, 1913	26 "
Eastern Townships—which comprises the City of Sherbrooke and the counties of St. Hyacinthe, Bagot, Sherbrooke, Stanstead, Drummond and Arthabaska, Megantic, Rouville, Richmond and Wolfe, Shefford, Compton, Brome, Beauce	J. C. Rouleau	200 00	8 Jan., 1902	12 March, 1902	12½ years.
Valleyfield—which comprises the Counties of Argenteuil, Two Mountains, Vaudreuil, Soulanges, Beauharnois, Laprairie. Napierville, St. Jean, Iberville, Missisquoi, Chateauguay, Huntingdon, Labelle, Chambly, Glengarry and Prescott	N. Cadieux, (See also Food Inspection District of Three Rivers, Terrebonne County	.....	17 Nov., 1913	17 Nov., 1913	7 months.
Ottawa—which comprises the City of Ottawa and the Counties of Russell, Carleton, Stormont, Dundas, Grenville. Brockville, Leeds, Lanark, South and North; Renfrew, South and North; Wright and Pontiac	J. A. Rickey	200 00	10 June, 1907	10 June, 1907	7 years,
Kingston—which comprises the City of Kingston and the Counties of Frontenac, Lennox and Addington, Hastings, East and West; Northumberland, East and West; Peterborough, East and West; Durham, Victoria and Haliburton and Prince Edward	J. Hogan	200 00	1 July, 1902	1 July, 1905	9 years.
Northern Ontario—which comprises the Counties of Nipissing, Algoma, East and West; Parry Sound, Muskoka	.....	.....	.....	.....	.....

Toronto—which comprises the City of Toronto and the Counties of Simcoe, East, North and South; York, Centre, North and South; Ontario, North and South	H. J. Dager	200 00	6 Oct., 1898	6 May, 1907	16 years.
Hamilton—which comprises the City of Hamilton and the Counties of Halton, Peel, Wentworth, Lincoln, Welland, Haldimand, Dufferin, Grey, North, South and East; Bruce, North and South; Brant, Brantford, Wellington, North and South; Waterloo, North and South	.....	.....	.....	.....	.....
Windsor—Which comprises the City of Windsor and the Counties of Norfolk, Oxford, North and South; Middlesex East, North and West; Lambton, East and West; Elgin, East and West; Perth, North and South; Huron East, South and West; London, Essex, North and South; Kent, East and West	John Talbot	200 00	25 October, 1897	1 Jan., 1908	17 years.
Manitoba—The whole province	A. C. Lariviere	300 00	29 April, 1893	27 July, 1907	21 "
Saskatchewan—The whole province	L. H. Hall J. O. Scott	100 00 300 00	23 March, 1914 23 March, 1914	23 March, 1914 23 March, 1914	2 months. 2 "
Alberta—The whole Province	A. W. R. Markley	300 00	7 April, 1913	1 Sept., 1913	14 "
Rocky Mountains—which comprises Nelson, Fernie, Revelstoke, Rossland, Trail, Grand Forks and extends as far as Kamloop to the west	Thos. Parker	200 00	27 Jan., 1902	11 Feb., 1911	12½ years.
Vancouver—which comprises the territory west of Kamloops to the coast	E. J. Morgan	200 00	13 Oct., 1906	1 Jan., 1914	7½ "
Victoria—the Island of Vancouver	D. O'Sullivan	200 00	12 May, 1890	20 April, 1906	24 "

MAIL SERVICE AT LIVERPOOL, N.S.

INQUIRY.

Hon. Mr. FARRELL inquired:

1. Who is the contractor for the mail service between the town of Liverpool and the railway station at Liverpool?
2. Were tenders asked for the said mail service? If so, who tendered and for what sums respectively?
3. Was the contractor the lowest tenderer?
4. Who was the preceding contractor and what amount did he receive?

Hon. Mr. LOUGHEED—The answers to to the hon. gentleman's questions are as follows:

1. F. S. Balcom.
2. (a) Yes; (b) F. S. Balcom, $375, reduced to $275 per annum; J. L. Bain, $279 per annum.
3. Mr. Balcomb's tender as reduced was the lowest received and the contract was awarded to him.
4. J. L. Bain, who was paid $390 per annum.

CANADIAN NORTHERN RAILWAY AID.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

On what date during the present session of Parliament was an application first made to the Government for financial assistance to the Canadian Northern railway by Sir William Mackenzie or any one on his behalf?

Hon. Mr. LOUGHEED—March 5 is the date. My hon. friend will find, in the blue-books issued in connection with the Canadian Northern Railway Aid Bill the application made by the president of the company, and it is dated on March 5.

Hon. Mr. BOSTOCK—That is the first time?

Hon. Mr. LOUGHEED—Yes.

FENIAN RAID BOUNTIES.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (176), An Act to make further provision for bounties to Volunteers who served the Crown during the Fenian Raids.

(In the Committee.)

Hon. Mr. CLORAN—I would ask the leader of the Government this pertinent question: What right or constitutional power have we to pay the debts of countries outside this Dominion of Canada—of countries that did not form any part of the Dominion at the time of Confederation in 1867? Those countries incurred debts in 1866 for their protection against the so-called Fenian raid, and the Governor from England, who was ruling over the province of Nova Scotia at the time, issued a proclamation calling out old men and infants to protect their native land.

Hon. Mr. McKAY (Cape Breton)—The hon. member is wrong in saying that old men were called out; the men called were from the age of 16 to 45.

Hon. Mr. CLORAN—I accept the hon. senator's information, but it is rather late, for another senator from the same province stated yesterday that they were called out from the age of 16 to 60, and this appears in the Senate Debates.

Hon. Mr. MURPHY—A lapsus linguae.

Hon. Mr. CLORAN—Well, I think the whole Bill is a lapsus linguae. The point I am raising is a constitutional one. The provinces of Prince Edward Island, Nova Scotia and New Brunswick were outside the Confederation of the Dominion of Canada when they incurred debts for their own safety against an imaginary foe. Why should the people of Canada to-day—men who have come in here by the millions during the past thirty years and settled here and developed into the Confederation as it stands to-day, and developed the Northwest into its present wealth—be called upon to pay the debts of people who did not belong to the country, and from whom the country expected nothing. That is a question which should be answered. If we admit the principle that we must pay debts contracted by the colonies of Prince Edward Island, Nova Scotia and New Brunswick and the British territory which is now Manitoba, then there is no reason why we should not pay the debts of any other British possessions. It is an imposition to saddle the present generation with the debts of the past, and especially of the dead past. I do not know where this is going to stop, but according to information given by representatives from Nova Scotia, every living soul in that province will be entitled to-day to a pension who was between 16 years old and according to one gentleman 45 and according to another 60, at the time the proclamation was issued. The thing is absurd. The men who were called out never did anything in defence of their country. They were never on the firing line. If they had been they would have deserved recognition. In Prince Edward Island it was the same thing; and as an hon. gentleman from Nova Scotia said,

he did not see why Prince Edward Island should get any of the pie.

Hon. Mr. MURPHY—I beg the hon. gentleman's pardon; the hon. member from Nova Scotia did not say that.

Hon. Mr. CLORAN—Prince Edward Island is asking to-day to come in for a piece of the cake.

Hon. Mr. MURPHY—Certainly.

Hon. Mr. CLORAN—And the hon. gentleman from Nova Scotia said that he did not think Prince Edward Island should get it.

Hon. Mr. McKAY (Cape Breton)—I did not say that. I simply showed that the conditions in Prince Edward Island were not the same as in Nova Scotia, but I said and still affirm that the men who turned out and drilled on that occasion in Prince Edward Island should be considered in the matter.

Hon. Mr. MURPHY—Hear, hear.

Hon. Mr. CLORAN—I did not know that the cap would fit so soon. The hon. gentleman has taken my remarks to fit to himself. I would say the senator from Prince Edward Island did his duty in saying that he saw no reason why the people of Prince Edward Island should not come in for a share of the cake. That was his right and his duty, but it is our right and duty to expose the game to the country. The hon. gentleman from Nova Scotia has helped me a great deal in exposing the deal. It criticising the demand of Prince Edward Island to come in for a share of the cake, the hon. member from Nova Scotia asked what did they do: The raid took place in March and there was no necessity for calling out the militia to take action then because the island was protected by drift ice. We all know that the Maritime provinces refused to come into Confederation, because they thought it was against their interest. They had been doing business with the West Indies and the United States. Their natural trade lay to the south and for years they refused to become part of the Dominion of Canada. Notwithstanding all that the Dominion Government to-day is asked to hand over an unlimited sum of money to pay obligations incurred by these colonies before they entered the Dominion. Is that right or honest legislation? Is it in the interest of the Confederation to-day? I say no, and I am satisfied that the vast majority of the people of Canada will say no with me. This money is to be paid to such of the 45,000 people who turned out in 1866 as are alive, to their widows if they are dead, and to their widows' legal representatives, if the widows should be dead. Is this going to be an eternal pension? Where is it going to end? I repeat that this legislation is a screaming farce, and the Government of the day intends to turn it into a moving picture show for the next half dozen generations as long as a single representative of the militia of 1866 exists. I do not expect to change votes by what I am saying, but many a vote will be changed throughout the country when the people hear of this state of things, when they learn under what circumstances the public money is to be given to people who were not in the Confederation at the time of their so-called services. I am satisfied that, if any one sufficiently interested and with sufficient means will appeal this law to the Supreme Court or to the Privy Council, it would be declared ultra vires. The principle underlying it is not one that should be admitted in the legislation of this country. It should not be tolerated, but the Government think it may serve their interests and I am sorry to see that the representatives of the people are afraid of their own shadows—afraid that if they vote against a measure of this kind they will lose votes. This legislation should be barred just the same as the Bill to indemnify the depositors of the Farmers' bank. That is the kind of legislation this Government is giving us. They are proposing to hand over $45,000,000 to the two men for their own private ends. That is all the legislation we have had so far from the present party in power. I have been asked would you refuse money if it were offered to you: I replied, certainly I would take the money. I do not blame Mackenzie and Mann, I blame the men who are giving away the public money, just as they are giving away the public money in the Bill before us, and giving it to utter strangers.

Hon. Mr. MURPHY—Are they not the representatives of the people? Are the people who appropriated this money not the representatives of the people?

Hon. Mr. CLORAN—That is just what I have said, but many of them are afraid of their own shadows. Under the circumstances I have accomplished my duty in placing before this House and the country the condition of things as they are. I am not opposed to the principle of paying a man who has rendered actual service to the country in any position.

from Governor General down to a letter-carrier, but to pay money to people who never earned it and are not entitled to it, is an imposition upon the tax-payers of this country. I do not propose at present to move the rejection of this Bill, but I will await the information that has been asked of the leader of the Government by some of my hon. friends on this side before taking action.

Hon. Mr. ROCHE—I have observed a disposition in this House to flout the position and attitude of the people of Nova Scotia, and of some people, to reflect on their warlike attitude and their ability to defend themselves and give of their physical ability and warm patriotism to the defence of other portions of the country. Some hon. members seem to think that the larger provinces mean the whole Dominion, and that the other provinces are small appendages. Many hon. gentlemen here may not be conversant in reference to the era of Confederation, and may not have known the conditions prevailing then, particularly with regard to Nova Scotia and to some degree to New Brunswick. A great many of the people from those two provinces were in favour of Confederation, and were decidedly in favour of a union of the Maritime provinces, before the Canadian representatives assembled in Charlottetown to confer regarding Maritime union. But that sentiment was entirely changed. The people of the province of Nova Scotia was not so much opposed to the principle of Confederation as they were to the Quebec scheme which was denounced as being unfair to the province in regard to pecuniary allowances—and they were right in the contention that they made at that time—for subsequent events have shown that adequate provision was not made for the province of Nova Scotia, which has had to appear as a mendicant before the Government of Canada because the gentlemen who precipitated Confederation at that time did not regard the pecuniary and other interests of the province of Nova Scotia as much as their own safety. The Nova Scotia Government of that day under the leadership of Sir Charles Tupper was condemned beforehand by the people. He knew that if he had to go to the polls again he would be defeated, and he jumped the province of Nova Scotia into Confederation in opposition to the wishes of the people. How was that expressed?

Hon. Mr. MURPHY—Order.

Hon. Mr. ROCHE—No order, sir; that can be proven.

Hon. Mr. MURPHY—I rise to a point of order. Rule 74 says that no arguments are admitted against the principle of the Bill in a Committee of the Whole. The hon. gentleman must confine himself to the details of the Bill and not talk about what happened before Confederation.

Hon. Mr. CASGRAIN—Go ahead.

Hon. Mr. MURPHY—No, he will not go ahead, nor you either, against the rules of the Senate.

The CHAIRMAN—I would call the attention of the hon. gentleman to the fact that the question before the committee is an Act to make further provision for bodies of volunteers who served the Crown during the Fenian raid, and has nothing to do with Confederation.

Hon. Mr. DERBYSHIRE—That is too narrow a subject.

Hon. Mr. ROCHE—I leave it entirely with you, Mr. Chairman, but my remarks were made in continuation and in explanation of the remarks made by the hon. leader of the Government (Hon. Mr. Lougheed) yesterday, and by the hon. member from Victoria division (Hon. Mr. Cloran) to-day, both of whom were unchecked by my hon. friend from Prince Edward Island.

Hon. Mr. MURPHY—The hon. gentleman will excuse me, but if one man goes unchecked that is no reason why the whole House should put itself out of order.

Hon. Mr. ROCHE—I am speaking to the question about services rendered by the people of Nova Scotia at the time of Confederation. The intellects of some gentleman from the Island province are so acute and so in advance of mine, that the hon. gentleman anticipates the exact subject at which I will arrive.

Hon. Mr. MURPHY—Do not be too modest.

Hon. Mr. ROCHE—Although the province of Nova Scotia was in agitation over this political question at the time of the Fenian raid, the people were disposed to resent the interference of any people from the United States or any other place, whether they were Fenians, United States soldiers, filibusters, or anything else. Although they resented the means that had been taken to bring them into Confederation, they were patriotic enough to wish to defend the whole country. The hon. gentleman may resent patriotic sentiment, he may resent facts, he may resent everything that may not

square with his programme, but I was a witness of these things. Does the hon. gentleman know whether that was a genuine raid or not? The militia was called out in the provinces of Nova Scotia and New Brunswick. It was necessary that certain measures should be carried by the Macdonald government at that time, and it was said that the Fenians were in the pay of the Dominion Government and were procured for that purpose, to effect an influence on New Brunswick at that time. So much for the patriotism of Nova Scotia and of gentlemen who represented the other provinces at the time. The militia was embodied; they drilled; I was one of them; I turned out at that time, and although I was not of age I went, and was elected a sergeant on the field. I have never claimed the hundred dollars, for I considered what poor services I had rendered to the country should be gratuitous, and should be what every citizen should offer in a time of exigency. Those men who were drilled by regular soldiers, were manly and stalwart, were men who would have made a very efficient force, and whether we were efficient or not, no disparagement should be made to the province of Nova Scotia, because the men gave their services on that occasion in the defence of the country, as they thought, against an attack made secretly or openly, as they thought, by an alien power that had at that time a grievance against Great Britain.

Hon. Mr. MURPHY—Hear, hear.

Hon. Mr. ROCHE—To the Government of New Brunswick it was intimated that some effort should be made for the defence of the country; that province could expect no protection from the British Government; all those influences were brought to bear, every description of influence, to carry forward the Quebec scheme, which was not approved by the people of Nova Scotia; and on the first opportunity afterwards when the men supporting that view presented themselves for election, only one man was returned with a very small majority to represent that province in Parliament. Adequate provision was not made for the pecuniary resources, for the continuance of representation in Parliament, either in the House of Commons or in the Senate.

Hon. Mr. MURPHY—I have no quarrel with the Bill; I am not like my hon. friend from Victoria division (Hon. Mr. Cloran), in that respect; and I have no quarrel with the sentiments which have been expressed with regard to the Bill. I regret that my hon. friend from Halifax (Hon. Mr. Roche), has not seen fit to apply for his bounty in connection with the Fenian raid, to which he is entitled; not many men in this country lose an opportunity to put out their hand and take that which they have earned. I can tell my hon friend from Halifax that if he took the money he would be in good company, one of the recipients of that bounty being a gentleman whose name stands high on the roll of Canada's great men, and I do not think there is any discredit to him—the Right Hon. Sir Charles Tupper, Baronet. While I have no quarrel with the Bill, I consider that a man who went to the front is no better than one who qualified in the ranks, ready to be called to the front to repel the invasion. But I appeal to the hon. members of this House in all seriousness that the terms of the Bill should not be confined to only a few provinces; men should not be segregated as far as the defence of their country is concerned. I contend that every province in Canada that called out its citizens in defence of their common country should be incorporated in this Bill. It is not necessary that they should receive anything; perhaps they are all dead now, for the Bill refers to events over forty years ago, but if there be one of them living, the name of the province from which he was called out, should be in this Bill, whether it be British Columbia, Manitoba or any other province. The sober sense of this House will agree with the amendment I am about to move, seconded by Senator Yeo, I beg to move:

That clause 2 be amended to read—

The CHAIRMAN—We are only on clause 1 as yet.

Clause 1 was adopted.

On clause 2.

Hon. Mr. MURPHY—I now beg to move that clause 2 be amended to read, after the words 'New Brunswick:'

Or other provinces where Militia were called out under the ordinary Militia Regulations.

Hon. Mr. CASGRAIN—I rise to a point of order. Is not this a money Bill? Can we amend a money Bill?

Hon. Mr. LOUGHEED—I was about to raise the question of order when my hon. friend directed attention to it. This Bill is clearly a money Bill. It is a charge upon the revenue of the country, and the amendment proposed by my hon. friend, of course, involves an additional charge upon the revenue. It is clearly out of order.

Hon. Mr. MURPHY—I am certainly surprised at the point of order raised by my hon. friend from De Lanaudière (Hon. Mr. Casgrain). It will be within the memory of hon. gentlemen that last year we had Bills analogous to this. We had the Navy Bill, the Branch Lines Bill—

Hon. Mr. CASGRAIN—I rise to another point of order; the Navy Bill is not under discussion.

Hon. Mr. MURPHY—No, but I am discussing this Bill. You raised the point of order; I do not think you are going to get very far ahead.

Hon. Mr. CASGRAIN—There can be no discussion except on the point of order.

Hon. Mr. MURPHY—I do not think the hon. gentleman's point of order this time is very well taken. I appeal to you, Mr. Chairman.

The CHAIRMAN—I believe it would be better to discuss the first point of order and then we can discuss the other.

Hon. Mr. MURPHY—I am discussing the first point of order from the standpoint that in a Bill analogous to this the Speaker's decision has been turned down ; and I take it that the Speaker in this House is above you, Mr. Chairman; he is above me, certainly—I do not know in what high esteem you hold yourself, but he is supposed to be the first senator at least. One of the first gentlemen on the floor of the House to back up the motion to turn down the Speaker, that such a Bill as this was a money Bill, was my hon. friend who is just raising the point of order at the present time. If the Naval Bill, the Roads' Bill and the Branch Lines Bill were not money Bills, then this is clearly not a money Bill. If necessary I shall send to the Library and get those Bills for my hon. friend, who evidently has forgotten the stand he took last year.

Hon. Mr. BOSTOCK—The hon. gentleman's own leader has told him this is a money Bill. I do not see why he is worked up about it.

Hon. Mr. MURPHY—I do not acknowledge any leader. Somebody may have made you leader, but I made nobody leader; I belong to no man in this House, a leader of the Opposition in the Senate of Canada is a kind of anachronism. No leader has ever endeavoured to put his mark on me, and tell me to sit down or stand up, and not even the leader near whom I sit, hence I do not think I should sit down at the behest of the hon. gentleman, who was made a leader of the Opposition on that side of the House. I say I shall submit to the Chairman and have him decide the point of order.

The CHAIRMAN—In my opinion the present Bill is clearly a money Bill so that I find the point raised against the amendment is well taken.

Hon. Mr. MURPHY—I shall take the opportunity, when the Speaker resumes the Chair of testing that a little further.

Clause 2 was adopted.

On clause 4.

Hon. Mr. CASGRAIN—May I ask the leader of the Government to explain these words 'or legal representatives'? As it reads, there would be no end of that, because everybody has some legal representative. Has this money to be divided among all the legal representatives? How many of them will be recognized?

Hon. Mr. LOUGHEED—Who ever may be the legal representatives, as defined by the statute of the particular province in which the volunteer may have lived. The statutory enactments of that province will clearly designate who the legal representatives are. If there are no representatives the money will not be paid out.

Hon. Mr. CASGRAIN—There might be thirty or forty representatives. That would mean that each one of them would get three or four dollars which would be nice in election time. It would take a long time for the Government to find out who the legal representatives are. At election time they could recognize voters as legal representatives, as might best serve their purpose. I have my own opinion about the merits of this measure. In Nova Scotia I believe there are 15,000 of these volunteers; that will amount to $1,500,000 to be distributed among the people of that province. If the bonus had been limited to those who went to the front there could be no objection, but if the money is to go to the legal representatives of all who were called out, nearly everybody in Nova Scotia would be entitled to a dollar or two, and in that event it will be very successful in getting votes between nomination and polling day. The Government should state how far this legal representation will go.

Hon. Mr. LOUGHEED—It is a question of law.

Hon. Mr. DANIEL—The hon. gentleman must remember that it does not refer to all those who were called out; only the widows and representatives of those who were alive in 1912.

Hon. Mr. MURPHY—The hon. gentleman from Victoria division (Hon. Mr. Cloran), thought he made a point because the Maritime provinces were not in the Confederation at the time of the Fenian raid. Now the hon. gentleman knows that when he marries a wife, he gets some benefit, but assumes all the obligations in the premises. He is surely not going to say, because the Dominion of Canada had the advantage of the Maritime provinces joining the union, that Canada will not be responsible for the obligations incurred by those provinces. Everything that was a charge on Canada was discussed at the time, and charged up to the individual province.

Hon. Mr. CLORAN—I could understand the argument of the hon. gentleman if there had been any stipulation at the time, that there was any such obligation as this.

Hon. Mr. MURPHY—Did you find out all about your wife before you married her?

Hon. Mr. CLORAN—If you are going to make a comparison between married life, and the union of the Maritime provinces with Canada, you will have a divorce very soon.

Hon. Mr. MURPHY—Why?

Hon. Mr. CLORAN—The West will not stand for it.

The CHAIRMAN—I call attention to the fact that we are on clause 4.

Hon. Mr. CLORAN—I have the privilege of answering the hon. gentleman from Prince Edward Island.

The CHAIRMAN—Not while we are discussing clause 4.

Hon. Mr. CLORAN—It makes no difference what clause we are at. I have no objection to recognition of the men who did actual service for the country, but who are the representatives? The widow if she is alive, the children if they are alive, and if the children are dead, then it is to be the cousins, the uncles, or the aunts; when is legal representation of the dead to cease?

Hon. Mr. MURPHY—The principle of this Bill was admitted two years ago when it was incorporated into the statute. What I am endeavouring to do is to correct a manifest injustice done to my province. We are not discussing the principle of the Bill because that was adopted in 1912.

Hon. Mr. CLORAN—I am in sympathy with the hon. member from Prince Edward Island. The Government has treated the island unfairly.

Hon. Mr. MURPHY—Hear, hear, in more ways than one.

Hon. Mr. CLORAN—Yes, in more ways than one. The Bill says that this money is to be paid to the legal representatives of the man who turned out. There is nothing in the Bill to prevent the legal representatives for a dozen generations collecting money from the Dominion of Canada. On the face of the Bill, I say, it is most absurd and unfair to the people of Canada.

Hon. Mr. DOMVILLE—When the money is to be distributed in the country, why should not these men get it?

Hon. Mr. CLORAN—To that principle I have no objection whatever. If it came my way certainly I would take it, but I would not admire the intelligence of the man who gave me money I did not earn.

Hon. Mr. DOMVILLE—Why did not you turn out and help to fight the Fenians?

Hon. Mr. CLORAN—Because I was not there, and because I was not old enough to bear arms. I would be willing to maintain the authority of the King in Ulster if necessary. I am sixty years old, but they can call me out at any time for that purpose. I am ready to turn out to oppose those who want with Colonel the Hon. Sam. Hughes to uphold Ulster against the King.

Hon. Mr. POWER—The hon. gentleman from Victoria division does not interpret the clause accurately. The clause says that if there is no widow then the $100 is to go to the legal representative. Now the legal representative I take it is the executor or the administrator. If it had meant the relations it would say 'next of kin.'

Clause 4 was adopted.

Hon. Mr. WATSON—Before the Bill is reported, if it is the intention to make it final, so far as the legal representatives are concerned, as suggested by the hon. gentleman from Halifax, would it not be well to add a clause. From some experience of this bounty being paid in the West, I am inclined to think you will find, as soon as this Bill is passed, men going about finding legal representatives to draw the money. It

will be a matter of speculation. I understand the number of volunteers called out in Nova Scotia was not fifteen thousand but forty-five thousand.

Hon. Mr. LOUGHEED—This only applies to the widow or the legal representative of the volunteers who may have died since the first day of April, 1912, not the widows or representatives of those who died before that date. My hon. friend will see that a volunteer, if living at that time, was entitled to the $100. If he was not living no claim would lie; it must be between 1912 and July, 1915. The right then expires, so it will only apply to those who have died between 1912 and July, 1915. The number therefore, will be very small indeed.

Hon. Mr. CASGRAIN—I know this is a money Bill, but you might amend it to say that there being no widow, then to the children; but you say the legal representative, and the legal representatives might be a third or fourth cousin.

Hon. Mr. LOUGHEED—But we have to depend upon the statute law of the province as to the appointment of the person who will be the legal representative of the deceased. It is not for the Government to make inquiry all through the country as to who the representatives or the next of kin may be, but if there be a legal representative, with letters of administration issued by the province, and he says to the Government: 'I am the legal representative of the deceased,' that legal representative would be entitled to the $100.

Hon. Mr. WATSON—How much does the Government anticipate this will cost the country?

Hon. Mr. LOUGHEED—Up to the present time less than a million dollars has been paid out altogether.

Hon. Mr. WATSON—What does this add?

Hon. Mr. LOUGHEED—It will depend upon the number of additional claims that will be presented under the statute.

Hon. Mr. MASON—It is similar to the case of a man having a deposit in a bank; the bank will pay a legal representative.

Hon. Mr. CLORAN—Where would be the right in the case of a man who died leaving a divorced wife? Who would get the money? With the number of divorces in the country, I might as well raise the point to-day as have it raised later. We want to make the law clear. We can say that a divorced woman would not be entitled to the bonus.

Hon. Mr. Bolduc, from the committee, reported the Bill without amendment.

Hon. Mr. Lougheed moved the third reading of the Bill.

Hon. Mr. Murphy moved in amendment:

'That the Bill be not now read the third time, but that it be read the third time this day six months, for the reason it does not contain adequate provision to compensate those who did duty, in P.E.I. and other Provinces at the time referred to.'

Hon. Mr. LOUGHEED—That is equivalent to Preamble and it is out of order.

Hon. Mr. MURPHY—Then I ask leave to strike out the preamble.

The SPEAKER—The motion reads: 'That this Bill be not now read a third time, but that it be read a third time this day six months.'

Hon. Mr. POWER—I wish to ask the hon. gentleman from Prince Edward Island who has moved the amendment if it is not a fact that at the time of the Fenian raid, the Northumberland Strait was closed by ice, so that Prince Edward Island was in cold storage, and that there was really no danger to be feared, and that consequently there was no reason why the militia should be called out?

Hon. Mr. MURPHY—It is very seldom that the hon. member from Halifax gets facetious. The people of Prince Edward Island, unlike those in the territory represented by my hon. friend, when called out were ready to defend, not only their own homes, but the homes of their neighbours. The ice melts, and if the time was in March, and the island was ice-bound, the volunteers could have walked across on the ice. We have sometimes to do that, and haul His Majesty's mail across the straits, notwithstanding the agreement with the Dominion to furnish continuous steam communication. The Prince Edward Islanders could go out and defend their country and render each as good service as four men from the county of Halifax.

The House divided on the amendment, and the vote was announced as follows:—

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Hon. Mr. POIRIER—I ask that the names be read. I came in late and misunderstood the resolution.

The CLERK read the names.

Hon. Mr. POIRIER—I voted in error. I had consented to vote in favour of an amendment including Prince Edward Island with New Brunswick and Nova Scotia. I came in as the vote was being taken and was under the impression that I was voting for that amendment, but I find now the question was on the six months' hoist. With the permission of the House, I would like to have my vote reversed. I am certainly against the six months' hoist.

Hon. Mr. CLORAN—The hon. gentleman is too late.

The SPEAKER—The hon. gentleman has a perfect right to have his vote reversed.

Hon. Mr. MURPHY—What the hon. gentleman said is perfectly correct.

Hon. Mr. DANDURAND—The word of the hon. gentleman is sufficient.

The SPEAKER—Then the division will be altered, and the name of the hon. gentleman from Acadia (Hon. Mr. Poirier) will be placed with the non-contents. The amendment is lost and the question is now on the third reading of the Bill.

Hon. Mr. MURPHY—I do not wish to deprive the other provinces of what I cannot get, and I have nothing further to say.

The Motion was agreed to, and the Bill was read the third time and passed.

SHIPPING ACT AMENDMENT.

IN COMMITTEE.

The House resolved itself into Committee of the Whole on Bill (168), An Act to amend part VI of The Canada Shipping Act.

(In the Committee.)

Hon. Mr. BOLDUC—All the clauses of the Bill have been passed and nothing is left except the proposed amendment. The hon. gentleman from Grandville (Hon. Mr. Choquette) has obtained what he evidently had in view in making this motion: that is to call the attention of this House and the Government to the fact that by a misapprehension, I presume, an officer in the Maritime Department was appointed in a judicial way in Quebec, without being able to understand both official languages. The hon. gentleman must be satisfied now that he has called the attention of the Government to that fact. I took the trouble to go to the department myself and ascertain what were the facts of the case. I learned there that Captain Lindsay, who has acted as Wreck Commissioner during the last two years, was first appointed by the ex-Minister of Marine and Fisheries in the late Administration, Mr. Brodeur. Surely there is not a member of this House who will say or believe for one instant, that Mr. Brodeur has made such appointment in order that his friends of the province of Quebec should have a man acting for them in a judicial way, without being able to understand both official languages. We have no reason to be surprised that the present minister, after Mr. Lindsay had been chosen by a French Canadian minister, appointed Mr. Lindsay as Wreck Commissioner, without ascertaining whether he could read and write both official languages. I am credibly informed now, that Captain Lindsay has resigned that position of Wreck Commissioner and has been placed as Superintendent of Pilots from Montreal down to the Gulf. I say at once that it is to be regretted that this man was appointed, without ascertaining whether he

could understand the two languages. But I am informed at the same time that there is an Assistant Superintendent appointed to help Captain Lindsay, Mr. Talbot, of Quebec, who was a pilot during several years, and there is no question that this gentleman can speak both languages. We know very well that Captain Lindsay who is only Superintendent of the Pilots will have only to deal with the Pilots, who, it is admitted can speak both languages. It is admitted by everybody that the pilots can not be licensed without being able to speak both languages, and with the fact that the assistant is a French Canadian I do not see that my hon. friend from Grandville should proceed with this motion. I am informed also that the new Wreck Commissioner to succeed Captain Lindsay will be a man familiar with the two languages. I would be willing to vote for the motion made by my hon. friend from Grandville if I were convinced that such vote was the only way to obtain justice in the province of Quebec. I would not hesitate for a moment, for I believe that as we have the right to both official languages, we ought not to be deprived of those rights. We have judges in the province of Quebec and every one of them can speak the French and the English language, as fluently one as the other.

Hon. Mr. CASGRAIN—Oh no.

Hon. Mr. BOLDUC—They understand both languages, and there is no law that I know of to oblige Governments to appoint as judges in the province of Quebec, men who can read and write both languages fluently. Still I do not believe that the Government would dare appoint a man in the province of Quebec unable to understand the French language. I repeat that I know of no case where such an appointment has been made, and if I were convinced that the idea of the Government is to infringe on the rights of the province of Quebec, I would not only vote in favour of the motion made by the hon. gentleman from Grandville, I would not go at it piece-meal, I would vote for a general motion which would oblige any Government to grant to the French minority all their rights of language. I do not believe, however, that there is any Government, whether Liberal or Conservative, which would dare to knowingly make an appointment against the interests of the French race. We have in the Senate a member of the present Administration, and I do not believe that he would refuse to make some explanation, and tell the House that it has never been the intention of the Government to appoint, in the province of Quebec, officials to act in a judicial capacity without knowing both languages. If such a statement is made by the leader of the Government in this House I will advise very strongly my hon. friend from Grandville to withdraw his motion.

Hon. Mr. LOUGHEED—The difficulty in this case seems to have been created owing to a difference of opinion which may have honestly arisen,—and I have no doubt did honestly arise,—between my hon. friend from Grandville and the then Commissioner of Wrecks, in the hearing of two certain cases that came before the court presided over by the Wreck Commissioner. I quite appreciate the position taken by my hon. friend, that any official being called upon to hear and determine important subjects, such as those that may come before the Wreck Commissioner, and being compelled to take evidence in both languages, should be familiar with both the English and French tongue. But it happened that this gentleman Captain Lindsay, who was then presiding as Wreck Commissioner, was an appointee of the late Government, appointed by hon. Mr. Brodeur, at that time he was Minister of Marine and Fisheries. When the present Government came into office, they found him occupying the official position to which he had been appointed by their predecessors. It now happens that this Government has since removed that gentleman to another position, that of superintendent of pilots, and a new appointment will be made to the office of Wreck Commissioner. Now I am prepared to say to my hon. friend that the new encumbent of the office of Wreck Commissioner will be familiar with both the English and French tongue.

Hon. Mr. CASGRAIN—Will he know English?

Mr. LOUGHEED—And he will know English, I might add, as well as he does his mother tongue. As to Captain Lindsay, my hon. friend will readily understand that the result of his motion would be to deprive Captain Lindsay of the office which he at present occupies, namely that of Superintendent of Pilots. Now there may be some vindication of the position that the Super-

intendent of Pilots should be an English speaking officer. I am informed by the Department of Marine, that 98 per cent of the shipping that comes to the Harbour of Quebec is manned by English crews.

Hon. Mr. CASGRAIN—Shipping employing pilots.

Hon. Mr. LOUGHEED—And as I understand, the Superintendent of Pilots of necessity has to come into contact with the crews of vessels, coming into that particular port. I can say to my hon. friend, so far as I can give any assurance on behalf of the Government—and I have discussed this matter with the Minister of Marine and Fisheries, who presides over this department—that hereafter whenever any vacancy will arise in any of those two offices, every regard will be paid to the public sentiment of the province of Quebec and to the requirements of that province, so far as those two official languages are concerned, in appointees being qualified to speak both languages. Having said that much, permit me to add this, that it would be very unwise that my hon. friend should seek to tack on to an Act of Parliament a provision of this character; it would be unwise as to policy; I furthermore say that, constitutionally, it should not be done. I refer hon. gentlemen to section 133 of British North America Act, and there it will be seen that the provision by statute of Government obliging an official to speak both languages—would be beyond the authority of this Parliament. This Parliament has not power to pass legislation of that character, and if it did attempt to do so, and to render it compulsory upon an official to speak both languages, that official could refuse to do so. I might add that in view of the possibilities which might arise as to friction between the two races, no section in the British North America Act, I doubt, received more attention than this particular section.

'Either the English or 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.'

We have two official languages under this Act established in Canada, and the right of every British subject, whether that British subject speaks French or English, is that he shall not be compelled to speak both languages—that he may either speak French or he may speak English. He cannot be compelled by statute in the performance of the duties of his office to speak both languages. If this Act be amended as outlined by my hon. friend, that the Parliament of Canada by legislation could compel an official to speak both languages, that power would have been invoked long ago; every judge of the province of Quebec by statute would have been compelled to speak both languages. But I doubt if my hon. friend can find a statute of Canada passed since Confederation making it obligatory upon an official appointed by the Government of Canada to speak both languages. There are conditions when it is in the interest of the public service that an officer should speak both languages, but I am not aware of any statute requiring that an official shall speak both languages, except it may be a regulation of making his appointment to that office conditional on that qualification. My hon. friend may say that the pilots in the Quebec district or in the province of Quebec are compelled to speak both languages. That will not be found to be the case under any statute of the Parliament of Canada. The qualifications required by pilots below Quebec are to be found in section 21 of chapter 114 of the Act of 1849. This chapter is entitled, 'An Act to consolidate certain laws relative to certain duties in reference to the Trinity House of Quebec, and other purposes.' The powers of Trinity House came down from various Acts from time to time to the present. The first reference to the use of the French language in this connection appeared in the Harbour Commissioners' by-laws of 1903, who at that time were the pilotage authorities, in succession to Trinity House. There was, however, no authority for passing such a by-law as required that apprentices should be examined both in English and French. Now in the interests of the harmony of both races, not only in the province of Quebec, but through the different provinces of Canada, I say unhesitatingly that it would be an unwise policy to seek to invoke the authority of Parliament along these lines, even in the event of Parliament having such authority—which I not only very much doubt but which I venture to say it has not. I hope my hon. friend, in the interest of that peace and harmony which should prevail in all the provinces of Can-

ada as to both official languages will not seek under the amendment of which he has given notice, to make it obligatory upon any official in Canada to speak both languages; but on the other hand, shall throw upon the Government of the day the responsibility of saying that this official or that official in the discharge of the duties of his office must speak both. Any Government would be recreant to the duty which it owes to the public of the province of Quebec if it did not give proper attention and regard to the necessity of an official who comes in contact with both races in that province being properly qualified to understand and speak both official languages.

Hon. Mr. TAYLOR—Before the hon. gentleman replies, I would just like to place on record a telegram which I received last night from Mr. Andrew A. Allan, president of the Shipping Federation of Canada.

Some hon. GENTLEMEN—We have all read that.

Hon. Mr. TAYLOR—It should go on record.

Some hon. GENTLEMEN—No, no.

Hon. Mr. TAYLOR—It was intended that it should go on record, and I consider it my duty to read it:

Montreal, June 1, 1914.

Mr. George Taylor,
Ottawa, Ont.

Whereas it has come to the knowledge of the shipping interests that Senator Choquette intends moving an amendment to Bill 168 an Act to amend the Canada Shipping Act at present before the Senate to the effect that the wreck commissioner and the Superintendent of Pilots must speak both languages. We submit the following arguments against such a proposal considering that the same would be detrimental to our trade and commerce.

1. The proposed amendment would have the effect of greatly restricting the number of competent navigators available from which a selection could be made by the Governement to fill the office of superintendent of pilots or wreck commissioner.

2. That Canadian citizens should have the privilege of choosing which language they wish to use. So far as the shipping is concerned about 98 per cent of that taking pilots are manned by English speaking crews.

3. If the present pilots were examined with regard to their proficiency in the English language as to navigation questions it is more than doubtful if any of them could pass satisfactorily.

4. The pilotage commission which sat last year expressed an opinion that pilots should be allowed to choose either the English or French language for qualifying. In view of the present crisis we think that it is not advisable at present to introduce any further element of discord as an aggravation of the position the underwriters have at present taken up. Respectfully submitted on behalf of the ocean and coasting shipping trading to the river St. Lawrence and amounting to 730,825 tons.

Andrew A. Allan,
President,
Shipping Federation of Canada.

Hon. Mr. DAVID—In view of the declaration made by the hon. leader of the Government, I think, it proper to suggest to my hon. friend the member from Grandville (Hon. Mr. Choquette) to withdraw his amendment. He has attained the objects he had in view. He has obtained a recognition of the right we possess in the province of Quebec by virtue of the constitution, so we ought to be satisfied.

Hon. Mr. BEIQUE—I quite agree with my hon. friend from Mille Isle, but I must say, as I stated the other day, it should not be necessary to make it obligatory on the Government to appoint people speaking both languages. All Governments, whether Conservative or Liberal, should understand that it is their duty to appoint people who are qualified to dispense justice. When officials are called upon to act among an English-speaking community they should speak and understand English, and likewise speak and understand French if they have to administer justice in a community inhabited by French-Canadian people. I must say, however, that I would not be ready to assent to that part of the remarks of the hon. leader of the Government in this House, that as a constitutional right Parliament would not have that power. It is quite true that Parliament could not compel any official of that kind to speak English or French. As section 133 of the British North America Act says, both languages can be used, and everybody in this country is ntitled to use either language; but the object of the motion was not to compel them to speak any particular language, but to declare that the qualification was that he official should know both languages. It is plainly within the right of Parliament to determine that, as any other qualification. Again, I quite agree with the suggestion which has been made, and I hope my hon. riend from Grandville will withdraw the amendment.

Hon. Mr. CURRY—I should be sorry to see any enactment calculated to help a pilot to retain his license. I know there are pilots on the St. Lawrence, who never were intended by Nature to be pilots. There are

certain men who, in an emergency, get confused. I have had an experience of that myself while yatching on the St. Lawrence. One pilot ran me ashore, and I had to get a tug to pull me off; another would have done the same thing if I had not taken charge myself. He was absolutely confused. Instead of making it easier for these people to retain their licenses, we should make it harder, and I do not see why one hundred per cent of the pilots on the lower St. Lawrence should be French. In choosing young men to be pilots, nationality should not be considered for a moment. I do not care where they come from; you should get square-jawed, level-headed men who have proved cool in emergencies; men who are resourceful. These are the men who ought to be pilots. They should be given at least two years experience on the ocean, so that they know how a ship acts at all times, and they should be taught to trust the compass. The great trouble with those men is that they do not trust the compass. If they are caught in a fog on the St. Lawrence, and hear a dog bark on the shore they take no notice of the compass; they have not learned to have confidence in the compass. This is a serious matter, affecting every man in Canada from the Atlantic to the Pacific. The grain grower in the West to-day is getting one or two cents a bushel for his grain less than he should, because of the handicap the St. Lawrence is suffering from. In our freights and insurance we are discriminated against very largely, on account of our pilotage system. Lloyds and other insurance companies in London have no confidence in our pilots. The owners of our shipping have no confidence in them. The captains of the regular liners know the route pretty well, and while the pilot is nominally in charge of the ship, the captain actually is. But grain must be handled by tramp ships. Those ships are insured, as a rule, by the year, and that will take them to Atlantic ports in the United States. If they make one trip up the St. Lawrence, however, they have to pay the St. Lawrence rate for the year. Therefore, it is difficult, in case of a glut of freight in Montreal, to get ships to come and take it away, because of the extra insurance; and not only that, but the ships themselves have to take the risk, between the amount for which the vessel is insured and the value of the ship, and they do not want to take that risk. Then again. the captain, if he does not know the route, has not confidence in the St. Lawrence pilot and is afraid that he may lose his certificate. All these together make it practically impossible to get tramp ships to come to the St. Lawrence, to take away our surplus freight, and the route is handicapped that way. Then again orders are passed on the ships almost invariably in English. Now if a pilot is able to understand and have conversation with the captain, and is able to give the man at the wheel instructions in English, he is certainly able to defend himself in English in a court of law. If he gets confused in the court how much more liable is he to get confused on a ship in case of an emergency. The suspension of a pilot for a month, or for a season, or for life is a small matter, compared with the lives that are on those ships, sometimes a thousand and more, and the ship itself—worth in the case of a large ship a millon dollars or more. Safety first is supposed to be what we are all looking for, and the safety of the lives of people on the ship and the safety of the ship itself is of far more importance than the pilot's certificate. I therefore hope that no legislation will be enacted that will in any way interfere with the popularity of the St. Lawrence route. The Government has spent many millions in improving aids to navigation, deepening the channel and adding new terminals, but as far as the pilots go, we are practically where we were 40 or 50 years ago. Personally, I should be very glad if this Government would invite Lloyds and other insurance companies, and the steamships companies, to appoint a committee to look into this whole question with the understanding that their wish is to be followed. If this could be done, we could reduce our freight and insurance rates on the St. Lawrence very materially.

Hon. Mr. LANDRY (Speaker)—The hon. gentleman has misunderstood the amendment submitted by the hon. gentleman from Grandville (Hon. Mr. Choquette). There is no question that the pilot must speak English and speak both languages. That is outside of the question. If he is not fit to pilot the boat he cannot get his license, and the pilots to-day of the St. Lawrence may thank God that the recent accident happened outside their district, because there were no pilots on board the Empress of Ireland or the Norwegian ship when the accident occurred. The question of language had nothing to do with this case. If I had to speak my language in a court, it is the duty of a judge to understand my language. What is the good of having a right if we cannot use it?

Hon. Mr. CURRY—You should use the same language as you use on the ships.

Hon. Mr. LANDRY—If I have a right to speak French in the courts, and if I lose my case because the judge cannot understand French, what is the use of my right? It is a denial of a right. It is making a present with one hand and taking it back with the other. We cannot say that the Fathers of Confederation had that in view when they accorded us the right to speak French in our courts. As a correlative of my right there is a duty imposed on the judges of those courts to understand French. It is the duty of the Government to exact from the judges that they should understand English and French. These judges should understand it sufficiently that I may exercise my rights. And while we are on that question, I would like to show this House, in the same light, that our people in the province of Quebec have a right, when they are called to defend their country, to understand the demand there given. I fought that battle while I was a simple member of this House. I fought that battle four or five years, and I have gained my point; a book has been issued and it was submitted to the Department of Militia here in which all the commands given by the captains to the company, or by the superior officer of the regiments to their regiments were both in French and in English. Imagine what trouble our militia have in the rural districts where they do not understand a word of English; the officers come there and say 'right about turn,' or 'right about face' and these men do not know what to do. They can learn it in 12 days, but meantime they are wasting their time. If they had the French word to indicate the command there would be no trouble. In 1812 when the volunteers were called to the front they had French books.

Hon. Mr. CASGRAIN—At the time of Confederation we had them.

Hon. Mr. LANDRY—I am speaking of words of command, I am not speaking of the explanations in the book. The words of command were given in the French, and when one company received from his captain a word in French he knew what to do. The captain received the word of command from the commanding officer of the regiment or brigade. The chief commander, the one in command of a battalion or brigade or division, should know both languages, and should receive the words in English, but as soon as he has received the word in English it is very easy for him to give it in French. That is only in justice to our people, and I hope that this occasion will be one that will be fruitful for our people. A man has a right to die for his country, but he can die in French as well as in English. I know that the order was given by the department here, that the books should have the commands in French and English and they were sent to Quebec, but a subsequent order was given to withdraw such books and these were returned to Ottawa.

Hon. Mr. CASGRAIN—The hon. gentleman from Amherst spoke of the pilots just now, and I must say that although I have taken a great deal of interest in that subject for the last fourteen years, and for sometime before that, he has taught me new things. I had no idea that pilots were steering by the bark of a dog, that is absolutely new to me; it is a statement that should not have been made in this House. If the hon. gentleman is anxious to get lower rates of insurance from Lloyds he will not be assisted by a statement in the Senate of Canada that the pilots between Quebec and Montreal are steering by the bark of a dog. I have been on the bridge of a boat between Montreal and Quebec, and I say that statement should be withdrawn at once. It is unfair, not only to the pilot, but to the trade of the country. This is nothing to trifle about. The hon. gentleman ought to realize—

Hon. Mr. CURRY—Did it not come out in the evidence in that recent case, that the pilot hearing a sound on the shore in the fog, and thinking it was too near, changed the course of the ship.

Hon. Mr. CHOQUETTE—that is quite different.

Hon. Mr. CASGRAIN—Unless the law has been changed very recently and I do not think it has there are two pilotage systems on the St. Lawrence, one for the district below Quebec, a corporation that has been established for sixty years or more, and which extends from Quebec to Father Point, 180 miles. There is another corporation, quite distinct, which extends from Quebec to Montreal. These are called branch pilots. Between Montreal and Quebec no one would try to use a compass to keep the course, anybody who has the faintest

idea of navigation would know you cannot steer a ship by a compass course in a current in an artificial channel about 300 feet wide, and 500 feet on the curves. Therefore the steering is done absolutely from beacons—day beacons, and night beacons on the shore.

Hon. Mr. CURRY—What about fog?

Hon. Mr. CASGRAIN—When the fog comes between Quebec and Montreal no boats move up or down.

Hon. Mr. CURRY—Or below Quebec.

Hon. Mr. CASGRAIN—One thing at a time. Between Montreal and Quebec they are more numerous than the pilots below Quebec and they have even better remuneration. I never thought that was quite fair, because the requirements there are simply to know the different land marks, and they steer by those land marks. To give you an idea of the difficulty they are experiencing, when two ships meet, if those ships are approaching at fifteen knots an hour each, that means a velocity of thirty knots, and that means they are approaching each other at the rate of half a mile a minute. I was present on a bridge on a recent occasion and I saw how difficult navigation was, and how a pilot must keep his head cool, and not get excited, when meeting another ship, considering the small quantity of room. Of course, there is no danger in regard to the insurance, in a ship going off its course because the most that could happen to a ship would be to get stuck in the mud on the side and there would be no damage done. Both ships come bow on, almost straight one for the other, and as they approach about the length of a ship, they each turn out and leave a small cushion of water, perhaps 40 or 50 feet, between the bows of both ships. Then they go on as hard as they can, with regard to remaining in the channel, and not hitting the side of the artificial channel. That is the method of passing between Quebec and Montreal. The pilots from Quebec to Father Point have quite another task; they have to be like sea captains. It takes a man seven years' apprenticeship to be a pilot. In my time the pilots had to make seven trips—in the olden days it was on a sailing vessel—seven trips to Europe in order that the pilot would not only know the channel, but could learn the art of command, and could learn all about these large sailing vessels with 22 and 23 sails. They get, on these voyages, to know every sheet of every sail, and know all the details of navigation, so that they would know the art of command and could bring up a large ship, a barque or brigantine, or square rigged ship up to Quebec: they get to know exactly how wide to take each tack. Those pilots took seven years to learn these things, and what was their remuneration? The pilot with a family and so on received between $800 and $1,000 a year, because the whole fees were put in a fund and divided equally. There was a system they called the 'tour of the road'—each took their turn. An hon. gentleman has said that tramp steamers coming up to Montreal have to pay a whole year insurance for one trip. This is new information to me, because the pilot dues are paid according to the draught of the ship.

Hon. Mr. CURRY—I was speaking of insurance.

Hon. Mr. CASGRAIN—The pilotage was based on so much a foot. It used to be from $3 to $5 a foot on the draught of the ship. The pilots served seven years, and at the end of those seven years I do not think they got more than $1,200 a year. During their apprenticeship of seven years they have earned no money. They have given their time, and now they must pass rather a strict examination. As to knowing the languages, the pilots speak English just as fluently as I do. There is no trouble about that at all. It is said they are all of one nationality, and things should not be that way. I shall give this House the reason for this: it is because no other nationality possessing these qualifications would do the work for the money. The people of the province of Quebec are satisfied with little, and they get it. If you read the history of the St. Lawrence pilots, you will find there were a couple of Scotchmen who were pilots first, and when they found what the remuneration was, they soon turned to other avocations, and they were very careful not to allow their sons to follow up the pilotage. But the pilots of the province of Quebec have handed their vocation down from father to son, and so on, spending very little money. Out of this money they get, when they have to meet a ship at Father Point and bring it up the river, they pay their railway fare to meet that ship, and their expenses. The ship may be a day late in

arriving, and they are losing their time in waiting for the ship, and they are getting very little pay.

Hon. Mr. CHOQUETTE: Not now.

Hon. Mr. CASGRAIN—I consider it very little pay for men of that training. They must be men that understand the work; they work with instruments, they take observations, and are able to make points on their charts. These are all things that require a good knowledge of arithmetic, besides having a knowledge of navigation. It would be wrong to speak disparagingly of the St. Lawrence pilots. They have done a lot of good in the country. Somebody should be blamed for the accidents that happen, but I do not think the pilots should be held responsible. There is no place in the world where there is such long pilotage as on the St. Lawrence. Coming into Halifax the pilotage is twenty-four miles. Naturally it is cheaper, but proportionately it is much dearer. We have 180 miles of pilotage.

Hon. Mr. ROSS (Middleton)—During the seven years they serve their apprenticeship, are they in receipt of any remuneration?

Hon. Mr. CASGRAIN—During my time they were not in receipt of any remuneration; some of them may get occasional employment, but as a rule they have to be apprentice to a pilot, and serve under him and get no pay for that.

Hon. Mr. ROSS (Middleton)—Because they get no pay for the seven years, they should get very high pay when they begin.

Hon. Mr. CASGRAIN—Some of them may get employment, but when a father decides to make a pilot out of his boy, he is fully prepared to keep the boy from the time he is eighteen until he is twenty-five without the boy earning anything. Of course if the boy can earn anything outside, it is all right. In summer they navigate and in winter they study; they are a deserving people. No other nationality would act as pilots, because if they possess these qualifications they would enter some other employment where they would receive more remuneration.

Hon. Mr. CURRY—If the tramp ships insure for a year at a minimum rate, it will take them into any port in the United States; if they come to the St. Lawrence it is a higher rate, and if they make one single trip in the St. Lawrence their policy is changed, and they pay the St. Lawrence rate for the year. Nobody has a higher regard for the French Canadian than I have. I have been mixed up with them and have been in business with them for thirty-six years—with officials and workmen—but this is a question where nationality should not count. It is just the same as if a member of my family had to have a serious operation performed to-morrow. I would not think for a moment of the nationality or religion of the doctor. I would look for the doctor in whom I had the greatest confidence, and get that man; that is what we want in the matter of a pilot. It is a very big question for Canada and a very small question for the pilot.

Hon. Mr. DANDURAND—I hope I have misunderstood the hon. leader of the Government when he interpreted section 133 of the British North America Act. I hope he has rather expressed a doubt than an opinion, that Parliament could not declare the qualifications that would be necessary for the officials in a bi-lingual province, to act in that province. I join with the hon. gentleman from De Salaberry (Hon. Mr. Beique), and His Honour the Speaker (Hon. Mr. Landry), that the right of a citizen of Canada in a portion of this Dominion—the province of Quebec—of using both languages, entitles him to be understood by the official before whom he appears. I see nothing repugnant in the constitution, to the idea that qualifications may be laid down, such as the obligation to speak the two languages. We have created a Civil Service Commission. I would be very much surprised if the right that commission has of laying down regulations which would state the qualifications of certain officials, would not give them the right in the province of Quebec to exact from the parties appointed the knowledge of the two languages.

Hon. Mr. LOUGHEED—The position I take is this: It was never constitutionally intended that an Act of Parliament should make it obligatory upon an official to speak both languages. An Act of Parliament could delegate to the Government, authority to pass regulations, and in pursuance of these regulations the Government might make it conditional upon acceptance of an office that such an official should speak both languages. My hon. friend will agree with me in this regard, that an Act of Parliament should not be passed to remove a man from his office, who is properly in possession of that office, on account of his not being able to speak both languages. I say that the British North America Act, to

be interpreted properly, would indicate that that official need not speak both languages. He is already filling an office. I have in view now the Superintendent of Pilots—he is already properly in office.

Hon. Mr. BEIQUE—The amendment would not have the effect of removing him.

Mr. LOUGHEED—As I read it the amendment would.

Hon. Mr. CHOQUETTE—That is correct.

Hon. Mr. LOUGHEED—My hon. friend from Grandville (Hon. Mr. Choquette) says that is the intention. I do not for a moment say that the Government cannot pass regulations, and I think there are many instances in which the Government would be warranted in imposing conditions, and the Civil Service Commission would be warranted in saying that such and such an officer shall not be appointed unless he can speak both languages.

Hon. Mr. BEIQUE—The amendment says:

No person unless he can speak and write both official languages of this country, shall in the province of Quebec, after the first day of January 1915, be appointed.

Hon. Mr. CHOQUETTE—'Or shall act.'

Hon. Mr. LOUGHEED—'Or shall act as Superintendent of Pilots.'

Hon. Mr. CHOQUETTE—In view of the declaration of the leader of the Government, I would ask him to let this order stand until the first sitting to-morrow. I do not doubt the good intentions of the Government for the future, but we know that it is said that the road to a certain place is paved with good intentions. I am going to see the Minister of Marine about this matter, and I shall be glad to-morrow to meet the demand of the leader of the Government if it is possible.

Hon. Mr. Lougheed moved that the committee rise and report progress.

The motion was agreed to.

Hon. Mr. Baird, from the commitee, reported that they had made some progress with the Bill, and asked leave to sit again to-morrow at the first sitting.

CUSTOMS TARIFF AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (169), An Act to amend the Customs Tariff of 1907.

He said: This is what is commonly known as the Tariff Bill. It is not my intention for a moment to discuss this at length except to say that I have before me a very comprehensive statement, of the various resolutions moved in the House of Commons concerning the different items of the tariff that have been changed. Should any hon. gentlemen desire the information which I hold in my hand as to any particular item, I should be very glad to furnish him with it. I move the second reading of the Bill.

Hon. Mr. BOSTOCK—The hon. leader of the Government has not given us very much information about this Bill. Of course, it has been very fully discussed in another place, and it is possibly a question that we will not have anything to do with very particularly in this House, but some little discussion should take place on an important Bill of this kind. This Tariff Bill is providing for a considerable revision of the tariff, and a revision which, if I understand it rightly—although the hon. gentleman has not given us very much intimation about it—is a revision in the line of increasing the duties on a considerable number of articles. There are, altogether, some sixty different items of the tariff schedule that have been increased under this Act. Now that means a considerable increase in the cost of those goods to the people of this country, and at the present time, when so much discussion is going on in the country generally as to how to meet the increased cost of living, I do not think that the policy of the Government is a very wise one. The revision is also very largely in the interests of the manufacturing industries of the country, and has done very little for the agricultural interests. As far as I know the Act has not made for the benefit of the agriculturists any provision except that of a slight reduction of the duty on agricultural implements. On the other hand the arrangement that was announced, as to increasing the duty on wire rods coming into this country, is going to have a very serious effect on the cost of an article in daily use, not only by farmers, but in almost every industry of life. I refer to the question of mails. The Minister of Finance in another place, in speaking about this question of the increase that he proposes to make on wire rods under this tariff, gave some figures to the House, stating that at the present time, there are two companies manufacturing

wire rods in this country—one with a mill at Sydney having a capacity of 100,000 tons, which represents an investment of one million dollars; the other at Hamilton, having a capacity of 75,000 tons, representing an investment of $750,000. It was then pointed out that the consumption of those wire rods in Canada amounts to from 150,000 to 250,000 tons, and that last year the amount brought into the country was 92,000 tons. Therefore under the arrangement it is proposed to make, we are going to increase the cost to the people, who are going to use the rods by that amount.

Hon. SIR MACKENZIE BOWELL—That does not follow.

Hon. Mr. BOSTOCK—I want to try and prove that it does to the hon. gentleman, in a few minutes. That legislation is going to have a very serious effect on this very question of nails. As I understand it, these wire rods are brought into the country from the United States and also from Germany—those are the two countries from which they are most largely imported—and at the present time there are some eight nail manufactories in the country, scattered from one end of Canada to the other. Hon. gentlemen will notice that the two mills turning out these wire rods are situated, one at the extreme eastern end of the country and the other in Ontario. Thus, the factories that are making those wire nails at the present time at points like Winnipeg and Vancouver and probably Owen Sound, would be more materially affected by this rise in the rate of duty on wire rods, than possibly the others would be. At the same time it is going to have the effect of raising the price of nails to the users in the country. I understand that even already there has been an increase of as much as 25 cents per keg on nails, being used throughout the country, and another increase is very liable to be made before long. I want to point out to the House that the other day before the committee a gentleman appeared who, I understood, represented this firm in Hamilton, which is making wire rods. In answer to a question that I put to him, he had to admit that at the present time they were not in a position to ship those wire rods out to the coast, on account of the condition of transportation, and certain arrangements that they had to make. I doubt very much whether the company in Sydney is able to do the same. Therefore we have put a tax now on this manufacture of wire nails in Vancouver, which will most certainly result in increasing the price of nails to the consumers on the Pacific coast, and also probably in the western provinces. The only way that this factory can get those wire rods will be either by bringing them in from Germany, or by paying a considerably higher freight rate, by another route, and that will offset the duty they will have to pay in bringing them into this country. Therefore, by this arrangement made under this tariff Bill, the Government has brought about a condition of things that is going to end in establishing practically a combine or trust in the manufacture of nails throughout the country. I know that in talking about it the Finance Minister said that he had the assurance of the representatives of the two companies—the one at Sydney and the one at Hamilton—that it was not going to have the effect of putting those small manufacturers out of business; but I notice also that he did not go on to explain that to the country at all, but simply left it as a statement that had been made to him by the representatives of those two companies. The intention apparently was good, but I do not think that the result is going to be borne out by facts. The effect on the country generally is going to be that they will have to pay considerably more in the future for the use of nails, then they have had to do in the past; and I think that is a very bad policy to pursue, and not one that will help the development of this country. It will, of course, restrict the competition amongst these nails manufacturers, and injure the consumer who has to buy those goods. I do not propose to detain the House at any length on this matter but I wanted to put this point of view before the Senate because this legislation is one that should be very carefully considered. The interests of the country require that the manufacturers should be as much as possible in competition with one another; and as we have at the present time at least eight of those smaller manufacturers making nails in this country, as well as the two larger concerns, that in addition to making wire rods also make these wire nails, there is, at the present time a considerable amount of competition for the benefit of the consumer, for the user of those nails. If the effect that is very liable to be brought about by this legislation should work out, we shall have this whole question of the supply of nails in this country placed in the hands of two large corporations, who, it is to be presumed, will divide this territory between the two companies, to the detriment of the public generally

It is right to say that for the first time in twenty years the tariff has been increased upwards, and the revision has been made upwards rather than downwards, and that the country is not in a condition to-day to stand it. The people generally should be able to get their supplies at as reasonable a price as possible.

The motion was agreed to, and the Bill was read a second time.

INSPECTION AND BRANDING OF PICKLED FISH BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (182), an Act to Provide for the Inspection and Branding of Pickled Fish.

Hon. Mr. POWER—I hope the hon. gentleman will give us a fairly generous account of this Bill, because it is very important.

Hon. Mr. LOUGHEED—In making an explanation as to the objects of this Bill, I may possibly have to rely upon my hon. friend from Halifax to give me some assistance in impressing upon the House the necessity of entering upon the policy which the Government has embodied in this Bill. I need not say anything as to the abundance of fish in Canadian waters, and as to the desirability of promoting our fishing interests. Our herring fisheries are very prolific, and it has impressed itself upon the Government that, if more attention were given to promoting the packing of pickled herring, it would enure not only to the benefit of our fishermen but immensely to the benefit of consumers in Canada. In Scotland the pickling of herring has been carried on to a very large extent, and is one of the more important industries in that country. I understand that Scotch herring, properly pickled, packed, inspected and certified according to the regulations adopted in that country, will realize over 300 per cent more per barrel than we are receiving in Canada for an article which can be packed equally well. It is conceded, I believe, that Canadian herring are quite equal to the Scotch article, and yet at the same time the Scotch article will realize over $10 a barrel, while we in Canada receive approximately $3 for the same article. Now, this has been largely due to the fact that little or no attention has been given to the promotion of this particular industry. We have had no system of supervision, of instruction, or of regulation by which it would be an inducement to the fishermen to pickle their fish and pack a superior article. The Bill before us is very largely copied, I understand, from the legislation in Scotland which has contributed so very largely to the success of the industry in that country. This is not compulsory. The object of it is to furnish machinery to the fishermen by which the Government, through instruction, through inducement, through supervision, and otherwise may inspect and, so far as they possibly can, contribute educational effort towards the fishermen, cultivating and developing this industry until it reaches the importance that it has reached in Scotland. It is proposed that uniform standards shall be adopted both as to the packages, as to the quality of fish, as to the size, quality and other values, thus giving to the fishermen the benefit which will accrue, not only in our own market but in foreign markets, by the enforcement of those regulations, and by the certificate which may be attached to the packages. It not only proposes to deal with herring, but it proposes to deal with other classes of fish. The principal object, however, that we have in view at the present time, is to take advantage of our herring fisheries for the purpose of building up and establishing such an industry as that to which I have alluded, and which manifestly must enure to the very great benefit of the consumer and of those engaged in the industry.

Hon. Mr. BOSTOCK—Is there any of this work done on the Atlanic or the Pacific coast at the present time?

Hon. Mr. LOUGHEED—I understand not. I understand the fishermen are a law unto themselves, as to the manner in which they shall handle their fish in all respects.

Hon. Mr. ROCHE—I understand that the difference between the preparation of Scotch herring and the preparation of herring on the Nova Scotia coast and the other coasts of Canada is largely a matter of the amount of salt used. Our fish have a greater amount of salt than Loch Fyne herrings, and I think they are far superior. I have eaten both. But how are you to remove the furore the Scotchmen make over everything Scotch, whether it is whisky or fish? How are you to correct that misinformation in the public mind which gives the preference to Scotch products; because I believe the home made article in herring and mackerel is superior to that imported. The fact is the fish that comes to

our shores have to be stuffed very quickly with salt to prevent them spoiling. Is there any way to extend the time, or to define what proportion of salt shall be used? Our fish are put up with the strongest West India, Portuguese and Mediterranean salt, and if they continue to pack them that way it will be a far better tasting article than any Loch Fyne fish that can be sent to America.

Hon. Mr. POWER—There is no doubt it would be a desirable thing if our fishermen cured our fish as the Scotch fishermen cure theirs. That remark would not only apply to Scotch herring but to Newfoundland cod. Owing to some defect in the method of curing codfish caught on the banks and shores of the lower provinces, the fish do not bring as good a price in the markets of the world as Newfoundland cod. I do not think the difference is as marked as the difference between Scotch herring and Canadian herring, but there is a very considerable difference. If the Government can do anything by making reasonable regulations to improve the quality of our fish when cured, so as to increase the prices got by the fishermen, that will be a desirable thing. The hon. gentleman is not quite accurate in saying that there is no law in existence on the subject at the present time. I remember that a good many years ago there was a good deal of discussion in Parliament over the Fisheries Inspection law, but there has been no discussion for a good while, and, I fear, the hon. gentleman is very nearly right when he says that the fishermen are now almost a law unto themselves. Our fishermen—I speak now of the province of Nova Scotia—are a people who generally have been in the habit of carrying on their business in their own way and with the least possible interference from Government officers. It is to be hoped that when this Bill becomes law the Government will be careful to put it into operation, in such a way that nothing will be done to antagonize or irritate the fishermen.

Hon. Mr. LOUGHEED—It is to be entirely voluntary. The system of inspection will only apply to those who wish to avail themselves of it for the purpose of obtaining a certificate. Value will necessarily attach to the certificate under a proper inspection system. Of course, when the system is put into operation, it will be carried out in its entirety and any violation of the regulation will be visited with the prescribed penalties.

Hon. Mr. ROCHE.

Hon. Mr. POWER—There are inspectors of fish in Nova Scotia and brands are put on by officers at the present time. The possible trouble is that under clause 7 of this Bill the inspectors, who are now inspecting the fish—perhaps in a more or less indifferent way— may be prevented from branding barrels. It would be well, when we go into committee on the Bill, in view of the immense value of the fisheries, that no mistake should be made which would unduly interfere with the business.

The motion was agreed to, and the Bill was read a second time.

The Senate adjourned until to-morrow at 11 a.m.

THE SENATE.

Wednesday, June 3, 1914.

The Speaker took the Chair at Eleven o'clock.

Prayers and routine proceedings.

QUESTION OF PRIVILEGE.

Hon. Mr. ROCHE—I rise to a question of privilege. Yesterday afternoon, in Committe of the Whole the subject was being debated of pensions to be granted to certain volunteers and militiamen who were called out about the time of Confederation. The contention was made that the legislation applied largely to the province of Nova Scotia and considerable debate had taken place upon the question. In the Committee of the Whole greater latitude is given to discussion than in the ordinary sittings of the House; the limitation is not so exactly drawn with regard to the number of speeches to be made; the practice of the House has been to afford more latitude not only in regard to the number of speeches but even as to the extent of ground covered. I do not speak often in this House. I had not addressed the committee before. The Chairman of the committee ruled that the subject before the House was the Pension Bill, and not Confederation. Now the subject pertained to the time of Confederation, and the method by which Confederation was carried, and Confederation was an essential part of the subject.

The SPEAKER—I call the attention of the hon. gentleman to the fact that he claimed the floor on a question of privilege.

Hon. Mr. ROCHE—This is a question of privilege.

The SPEAKER—I do not see that it is a question of privilege.

Hon. Mr. ROCHE—I claim the privilege of free debate in the House, which is the most important privilege which can be claimed by any member, if the liberty of free speech is to be denied, or if there is to be arbitrary ruling, to shut out what may be distasteful, it would be my duty to withdraw from this House, for I will not sit in it when the privileges of the members of the Chamber are invaded. Therefore the time of Confederation and the method of Confederation, as being the period at which the necessity for this Bill arose, the circumstances surrounding Confederation, were an essential part of the question. I was replying to previous speakers who had alluded to the circumstances of the case and I contend on a most logical interpretation of the subject that this was an essential part of the question. For that I was called to order by a gentleman opposite and by the chairman of the committee. I contend that as that was the question, and an essential part of the question, I was in order and he was out of order, and that he had no right to prevent me from expressing my sentiments freely and openly in this House by any self-conceived or arbitrary rule. I do not accuse the chairman of any feeling personal to myself; I know his position was kindly, and I acquit him of all personal hostility but he should not exercise an arbitrary authority to shut out the privilege of free debate in this House, when an hon. gentleman was speaking logically, and he was out of order.

DOCUMENTS *RE* CANADIAN NORTHERN RAILWAY BILL.

Hon. Mr. BOSTOCK—Before the Orders of the Day are called I wish to ask the hon. leader of the Government whether he understood my question yesterday in connection with the Canadian Northern Railway. In the printed documents that were issued, there is a reference to partially printed documents. I understand the whole of the documents were brought down in the House of Commons, and it would be valuable to the discussion that we should be able to look into those, in order to understand the question. Would the hon. gentleman be able to obtain those documents?

Hon. Mr. LOUGHEED—The documents which were laid upon the table of the House of Commons will be laid upon the table of the Senate, so that any member may have access to them.

QUESTION OF PRIVILEGE.

SIXTY-FIFTH REGIMENT, MONTREAL.

Hon. Mr. CLORAN—I intend on a motion to call the attention, not particularly of the Government although they are directly involved, but of this hon. House and the country and Parliament as a whole, to a condition of things existing in the Militia Department, which, in the opinion of a large section of the people of Canada, is intolerable, and cannot remain as it is without being challenged, and challenged most seriously. From time immemorial in the old province of Quebec, the people of that province have been in the habit of celebrating one of the great feasts of Christianity by public procession. That feast is known to the English as Corpus Christi, and to the French as La Fête Dieu. It is one of the most solemn festivals in which any religious body can take part. Men, women and children, the bar, boards of trade, all branches of society, participate in that celebration, and as far as possible take part in the procession. From the time that Quebec was colonized by France until the present day, that festival has been honourably and scrupuously kept. Long before the province of Quebec became a part of the British Empire there was no interference with anybody taking part in that procession, or in the celebration of that festival, and I am glad to be able to say on the floor of this Senate that thousands and tens of thousands of our fellow citizens who do not belong to the Roman Catholic church, indirectly took a part in it by showing their reverence to the Sacred Host that was carried through the public streets of the metropolis and of the other cities, villages, and towns of the province of Quebec. This year the same festival is to be celebrated; a procession has been organized as usual, and as usual all classes are taking part in it, including members of the bar, the medical profession, the universities and schools. As usual, our citizen soldiers are participating. But what do we find within the past twenty-four hours? We find that the Minister of the Militia Department, I suppose under the advice of this Government—because he would not undertake an act of that kind without having the consent of the Government—has ordered a thing that he should not do; has

given a command which is opposed to the custom of a people, 400 years old. I do not suppose the Minister of Militia would undertake to upset the condition of things that have existed for centuries without the knowledge of the Prime Minister and his colleagues in the cabinet. An order has gone forth in the city of Montreal that the old-time regiment, the 65th, known as the gallant regiment, has been prohibited by order from Colonel the Hon. Sam Hughes, from taking part in that procession which is to come off in a few days. By what right does he intervene after four centuries of freedom, and liberty of conscience in this country of ours, to take that right from us? Does he mean to insult the Catholic people of this country? Does he mean to outrage our religious belief? If that is what he means, we want to know it and the country wants to know it; and therefore we want to know whether the Government will associate themselves with him in this regard? Those are the things we have to know, and we must know. I hold that the order prohibiting the 65th from taking part in that procession, is a violation of our rights as free citizens in this country; it is an insult to the Catholic people of this country, and for those reasons I call the attention of this Senate and of Parliament and of the country to this condition of things, and I ask for their verdict in regard to the matter. I remember four or five years ago when the great Eucharistic Congress, that played such a part in the last election, took place in Montreal, a similar order went from the Militia Department to the 65th regiment. I took part in that procession, one of the greatest processions that ever took place on this continent, probably never equalled in the civilized world as a religious demonstration. I happened to be in Montreal the Sunday before it came off, and at one of the Canadian clubs I met the officers of that regiment—happened to meet them by chance. They were heart-broken; they did not know what to do; they had to obey the order of the Militia Department: I said to them, 'Yes, obey the order of the Militia Department, but if you are men, and I take you all to be men, send in to-morrow morning your resignation to the regiment, and have it disbanded on the spot.' The advice was taken. A few hours afterwards an order came from the Militia Department at Ottawa, cancelling the previous order, and the 65th marched in the Eucharistic procession. I am not in Montreal to-day to talk to my friends in that regiment, but if I were, and I hope they will hear my voice, I would give them the same advice. If the Government of the present day, through the Minister of Militia, is to prevent them taking part in a procession which has been customary for 400 years, then they should send in their resignations in a body and disband, and we will see what effect that will have. On the other occasion to which I have referred, I went further. I said: 'Drop your arms and march as private citizens anyhow in spite of the minister,' and they were prepared to do that, but fortunately it was not necessary, because the order was rescinded. I say to the 65th regiment from my seat to-day, if they are men they will walk anyhow, but without their guns and bayonets. They have as much right to take part in that parade as Col. the Hon. Sam. Hughes had last Sunday in Montreal.

Hon. Mr. POWER—Hurry up.

Hon. Mr. CLORAN—What is the hon. gentleman going to do?

Hon. Mr. POWER—The hon. gentleman wants to know what I am going to do. I will tell him what I am not going to do. I am not going to call him to order, as I might.

Hon. Mr. CLORAN—Last Sunday the Minister of Militia was in Montreal, and there was one of the largest church parades of the year. Did the minister prevent the soldiers from taking part in that church parade? No, he went with them and attended divine service. Did any citizen of Montreal find fault with him for that? Not at all. Coming up that evening from Montreal, there was a conversation between two of his officers, the Royal Scots, those that wear kilts, and one said to the other, 'did you see the minister in church to-day?' 'No,' was the reply, 'I did not happen to put my eyes on him.' 'Well,' said the other, 'he was there,' and the other remarked, 'Isn't Sam a great actor.'

Hon. Mr. BAIRD—What church did they attend?

Hon. Mr. CLORAN—There are so many in Montreal, I can not tell. You may be sure it was not the Catholic church. He would go to any church, to the Jewish synagogue, if he could make political capital out of it. If you want to know what Col. Sam Hughes is prepared to do with regard to exciting religious prejudices——

Hon. Mr. LOUGHEED—I should like to ask the Speaker if there is anything before the House?

Hon. Mr. CLORAN—There is a motion of censure.

The SPEAKER—Where is the motion?

Hon. Mr. CLORAN—I am going to wind up with the motion.

The SPEAKER—I do not think it is permissible to make a motion without notice, except for the adjournment of the House, to permit the discussion of an urgent matter.

Hon. Mr. CLORAN—I have a right to move the adjournment of the House.

The SPEAKER—The hon. gentleman, in that event, should let us know what is the urgent matter he wants to bring before the Senate.

Hon. Mr. CLORAN—I shall not be much longer speaking, but shall put myself in order. I always have a right to move the adjournment of the House on a question of urgency and public importance. I submit this is one of great national importance and one of public urgency, because the procession is to come off in a few days, so my motion, according to the rules of the House which the Speaker has read so often for me, and which I understand, is in order. The matter is important and urgent.

The SPEAKER—The hon. gentleman was not in order up to his declaration that he wants to bring an urgent matter before the House. If the hon. gentleman moves the adjournment of the House for the purpose of speaking about a matter of urgency, he must state what the question is, so that we can determine whether it is urgent or not.

Hon. Mr. CLORAN—I am quite prepared to accept the decision of the Speaker in the matter; my declaration is now that this is of national importance, a question of immediate urgency and emergency too at that. The question is, that this 65th regiment—

Hon. Mr. LOUGHEED—I ask His Honour the Speaker to pronounce on the question of urgency. If it is an urgent question my hon. friend is in order in his motion to adjourn the House, but it must be a question of urgency.

The SPEAKER—I would ask the hon. gentleman to point out where the urgency comes in.

Hon. Mr. CLORAN—The procession will take place next Sunday, and there is a lot of red tape in the Militia Department—

The SPEAKER—Is it next Sunday?

Hon. Mr. CLORAN—The Fête Dieu is on Thursday.

The SPEAKER—Does the Fête Dieu take place to-morrow?

Hon. Mr. CLORAN—I am told so, and the procession is postponed until Sunday.

The SPEAKER—We are having two sittings a day now, and if the hon. gentleman gives notice of motion for the next sitting, the matter might not turn out to be as urgent as he seems to think.

Hon. Mr. CLORAN—I do not want to make any second speech.

The SPEAKER—We are discussing the question of urgency. I want the hon. gentleman to show me where it is a question of urgency.

Hon. Mr. CLORAN—I pointed out to the Speaker that three senators have stated that the Fête Dieu is to-morrow, and the procession on Sunday. That only gives us two days to act. If that is not urgent I should like to know what is? It is especially urgent in the case of the Militia Department where we have to go through a lot of red tape before getting any satisfaction.

Hon. Mr. LOUGHEED—The Parliament of Canada has nothing whatever to do with religious celebrations in Canada.

Hon. Mr. CLORAN—That is just what I want to get at, that the Militia Department had no right to intervene in this matter. That is the stand I am taking, and I am glad to see the leader of the Government admit that Parliament has nothing to do with religious celebrations. That is correct; nor has any portion or branch of the Government any right to intervene impertinently, outrageously, against the best interests and doctrine of our church.

Hon. Mr. TAYLOR—Order, order.

The SPEAKER—I call the hon. gentleman to order. He has no right to qualify in that way.

Hon. Mr. CLORAN—Qualify what?

The SPEAKER—Neither the Minister of Militia, who is a member of the other House, nor the members of the Government. Let the hon. gentleman put a question in the regular way, and he will get an answer. I want to know if the Fête Dieu is to be held to-morrow?

Hon. Mr. CLORAN—I have been told so by three senators.

The SPEAKER—As the hon. gentleman is a Catholic, he ought to know whether the Fête Dieu is being held to-morrow or not, and should not have to rely on others.

Hon. Mr. CLORAN—I am attacking this act of forbidding the 65th regiment taking part in this procession. The Speaker could not have understood my English language.

The SPEAKER—The hon. gentleman did not point out the urgency of the case.

Hon. Mr. CLORAN—To-morrow is Fête Dieu.

The SPEAKER—Then the procession is on Sunday next?

Hon. Mr. CLORAN—If it is not a question of urgency I subside.

The SPEAKER—The hon. gentleman can give notice to-day that he will call attention to such facts, and we can discuss them when the motion comes up.

Hon. Mr. CLORAN—I certainly have the power to give notice of motion. There is no question about that, and I have the further power to do what I am doing now, as a representative of the people, to challenge any act of the Government in spite of the ruling of any Speaker,—I do not care who he is.

Some hon. GENTLEMEN—Order, order.

Hon. Mr. CLORAN—I have the right to challenge the action of the Government.

The SPEAKER—The hon. gentleman is quite out of order, and it is useless for him to get excited. If he were in order he would keep cool.

Hon. Mr. CLORAN—The Speaker should not get excited.

The SPEAKER: I am not excited.

THIRD READING.

Bill (169), An Act to amend the Customs Tariff, 1907.—Hon. Mr. Lougheed.

THE TARIFF.

DEBATE RESUMED.

The Order of the Day being called:

Resuming the adjourned debate on the resolution of the Honourable Mr. Power:—

'That this House regrets that the Government, having decided to alter the tariff, have made no effort to lessen the cost of living by removing or substantially reducing the duties upon the necessaries of life.'

Hon. Mr. SMITH—This question has been under discussion a great many times in the country. This debate seems to be the last dying kick of a gigantic struggle between the two Canadian parties on this question. At the outset in the year 1878, it was a struggle on the basic principle of protection vs. revenue tariff. At that time the best talent of the Liberal party was engaged in it, and there were giants in the Liberal party at that time in debate, as compared with the present time. Sir Richard Cartwright, Oliver Mowat, Mr. Fielding, Edward Blake, Alexander Mackenzie, and other great men of that date were engaged in the contest and they discussed that question on every platform and in almost every school house in the Dominion of Canada, and the people pronounced against them and in favour of a protective tariff. After four years trial there was another election, and these men once more studied up Adam Smith, and studied the Cobden argument, and all the theories that could be found, and tried to persuade the people that protection was heresy, and that the manufacturers and those who benefited by it, were a band of robbers, etc. Again the people pronounced against them. Failing on the main article, then they fell back on the question which seemed at that time to appeal strongly to one class of people, the farmer. Under the auspicies, and under the aid of Erastus Wyman, a great Canadian in New York, a vigorous campaign was set up to try to induce the farmers to believe that it would be a good thing for the country, and especially good for them if they could have unrestricted reciprocity with the United States. It appealed with striking force to them. At that time the United States was the best market for many of these articles, and the only market, so that there was every chance for those who were advocating unrestricted reciprocity to catch the farmers' vote, by an appeal to their selfishness, and by stating that reciprocity would benefit them directly. They were told they would get so much more for a horse and everything they had to sell: yet they rejected it. They saw that to build up a home market in the country was far more important, and they stuck by their guns, and they voted against unrestricted reciprocity on that occasion and again in 1891. Since that time the Liberal party has waited for nearly twenty years before taking it up again. The election of 1896 was carried, not on that question, but because the Liberal party secretly promised to the manufacturer, and to the fruit grower and others interested in the question particularly

that they would not change the tariff. They got into power at that time, and they continued the principle of protection absolutely; but in order to place themselves in favour once more with the loyal people of Canada,—after having put up a high tariff wall against Great Britain and made a proposal of free trade with the United States,—they then brought forward a proposal for preferential treatment with Great Britain. Notwithstanding one-third difference in the duties, there is not much preference to Great Britain. The skill and wealth which has been acquired, and the ability to manufacture cheaply that has been attained by the United States under a protective system, enables the people of the United States to beat Britain in this market on almost all the manufactured goods that are exported by Great Britain, notwithstanding the preference of one-third in the tariff, in favour of Great Britain. Therefore I say this question was not before the people until 1911. Then it was brought before the people again, in a still more attenuated form—not unrestricted reciprocity with everything, but only with farm products. They thought they would once more get the farmers' vote on a cry of free trade in farm products. But the farmers have had their experience. Thirty-three years had elapsed, and what was promised in 1878 was carried out, a great home market was established for the farmers' produce, more profitable than any foreign market. The farmers realized that, and did not vote to throw this market open to the whole world, and go back to the conditions proposed by the Liberal party. Now we have this resolution coming in in a still more attenuated form, almost a similar resolution to that which has been voted down in the other House simply that the duty should be taken off some of the necessaries of life. It is about as attenuated an ending of a great campaign, lasting over thirty years, as could be imagined. I prophesy that if the hon. gentleman succeed in staying by this resolution and nailing it as one of the planks of his party for the next campaign it will meet with the same result. The whole argument of those gentlemen who are advocating the removal of the duties from the necessaries of life is that the cost of living is greatly enhanced. To hear them talk one would think that everything they buy in this country, everything that is brought into this country has to pay a heavy duty. Now the policy of protection allows the introduction into this country of a great many articles, food products as well as many raw materials absolutely free of duty, which under the proposal of the hon. member for Rockland (Hon. Mr. Edwards) would pay the duty he suggests, up to fifteen per cent. Amongst those articles I may mention rice, which is used as an article of food by many nations of the world very much more than any other article of food, and which comes into this country absolutely free. Tea and coffee to the extent of their entire importation; bananas, pineapples, oranges—

Hon. Mr. POWER—Are those necessaries of life?

Hon. Mr. SMITH—I should say so; at the present time I would consider those almost necessaries of life.

Hon. Mr. WATSON—Would the hon. gentleman give us some information that I am sure he can give; what price does he pay for raw fruit at his factory in Grimsby, and what price does he sell it for to the consumer? Could he tell us that, please? I know he is familiar with that. I shall make it plainer; what does he pay per pound to the fruit growers for peaches, and what do peaches cost the consumer?

Hon. Mr. SMITH—That is a difficult question to answer, because the price for peaches one day is entirely different to what it is the next day.

Hon. Mr. WATSON—What is the average price?

Hon. Mr. SMITH—I could not answer the hon. gentleman as to the average price.

Hon. Mr. WATSON—What was the highest price paid last year?

Hon. Mr. SMITH—I could not say as to the highest price; it fluctuates from one day to the other.

Hon. Mr. WATSON—I have some doubts about the hon. gentleman's sincerity.

Hon. Mr. SMITH—I know what the hon. gentleman is driving at. I suppose he thinks there are a great number of middle men between the producer and consumer.

Hon. Mr. WATSON—Sure.

Hon. Mr. SMITH—How he could get rid of those middle men by taking the duties

off those articles passes my comprehension. Is he able to cut out the wholesale man that buys and distributes these fruits? Is he able to cut out the retail man?

Hon. Mr. WATSON—I was asking the question with the hope that the hon. gentleman would be able to give us that information.

Hon. Mr. SMITH—No, I could not give the information.

Hon. Mr. WATSON—It is a trade secret?

Hon. Mr. SMITH—No, there is no trade secret about it. The prices of those articles fluctuate from day to day and year to year; there is no average. I am fair in saying that I do not know what it is, and I do not think the hon. gentleman could be able to find out. There is no trade secret about it. So that although there are many articles on which the duty is paid, and are enhanced in value, as I said yesterday whatever enhancement there is in value goes to the producer. The producers of those articles in this country are men certainly deserving of a great deal of consideration. The farmers of this country are the men who are producing these necessaries of life chiefly, and the hon. gentleman who moved the resolution must consider that those duties go to increase the price, and if that increased price is produced and goes into the farmers' products, why should he want to take it away from them? It looks to me a very small, unjust and mean proposition. Here is a class of people who work, perhaps, harder than any other class of people in the country, and they are certainly not getting rich any faster than other people. The consumers that the hon. gentleman has in mind, live in the towns and cities and are drawing good pay, and are able to drive about in their automobiles. Is it not rather mean to ask on behalf of these gentlemen, that the farmer shall take less for the products of his industry than he is receiving under the present tariff, that would be the result, if anything, of adopting this resolution. This question was pronounced upon by the people at the last election. One of the hon. gentlemen who spoke yesterday said that the last election was carried by the manufacturers, the inference being that the farmers had nothing to do with the result of the election, and he claimed that if they had had an opportunity to understand the question thoroughly, they would have voted for reciprocity, his argument being that the farmers would feel it would benefit them. What are the facts? In Ontario and the Maritime provinces, the change which took place was in the agricultural constituencies. Most of the cities had previously been represented by Conservatives, and the great change was in the rural constituencies. I know something about the conditions in Ontario, and if there are any agricultural constituencies in Ontario, they are the following, in which Conservatives were elected: Brant, North Bruce, North Essex, South Gray, South Huron, North Middlesex, West Northumberland, South Ontario, South Oxford, North and South Perth, West Peterboro, Prince Edward, Stormont, North Waterloo, North Wellington, Welland, North York. All these are agricultural constituencies, if there are any in Ontario, so it was unfair to suggest that the election was turned by the manufacturers when the agricultural constituencies were practically the only ones which were changed. The main argument put forward by hon. gentlemen in this debate, as it has been in similar debates in the other House, has been the benefit which the western wheat growers would derive from taking the duty off wheat. It is claimed that they would get an increased price for their grain. The farmers, or rather the miners of the West, depend entirely on growing wheat. Now, I take issue with the argument to which I have referred. Hon. gentlemen opposite jump to the conclusion that if the United States would remove the duty from wheat the western wheat growers of this country would get a higher price for their wheat. It does not follow. What would happen would be this: the only market in the United States that would be of value to them would be Minneapolis and St. Paul. In a short time this market would be absolutely swamped with the wheat poured into them from the Northwest. In a few days prices would drop, and the result would be that they would soon be back to normal. One hon. gentleman said that the prices of almost all farm products are regulated by the foreign market. Now, the market for wheat is Great Britain, and the United States exported last year to that market not less than $18,000,000 worth of breadstuffs, showing that the United States is an exporting nation, and a competitor of ours in the British market. Therefore, the western farmer would gain nothing by being admitted to the market of a nation which is an exporting rival of ours. Looking at it from that

point of view, which is perhaps the most favourable at which it can be viewed, free wheat would not be of any great benefit to the farmers of the West, but if anything, a loss, because they would lose more in other ways than they would gain by admission to the markets of the United States for their wheat. I hope and believe that this is the last we will hear of this question. It is dying away, getting fainter and fainter, until it has got at last to this very attenuated resolution now before the House, which for my part I shall take great pleasure in voting against.

Hon. Mr. FROST—I want to say a few words in regard to the resolution which is now before the House. The amended tariff has been very slightly touched upon. However, the tariff of 1897 speaks for itself. It was enacted at a time when the country was more or less depressed, as those of us who were members of the House of Commons at the time well remember. The railroads, trade, commerce, everything was down at its very lowest, and the receipts from custom and excise were about $30,000,000 But shortly after the tariff of 1897, was enacted there was a return to prosperity. The tariff was further amended in 1907 by the same party that had introduced the tariff of 1897, and it is now producing four-fold in customs duties, not counting the revenue from excise. The railroad traffic has increased enormously, caused by the rapid immigration of late years, and the advantage which settlers enjoy, under the homestead system inaugurated by one of the Ministers of the Interior in the late Government. The new Finance Minister has made some slight changes in the tariff of 1897, as amended in 1907, but it pretty nearly stands as it was under the late Government. There have been some increases in the duties on steel, and some decreases in the duties on agricultural implements, but apart from these two items, the other changes have not been sufficient to call for very serious consideration. Speaking of the increase in the cost of living, in the last three years it has gone up to 136: the largest increase almost shown by any country in the world. Therefore, it is very proper on the part of a former Speaker of this House to bring forward this resolution, and have the subject discussed with a view of finding means to reduce the cost to the people of this country. Truly the tariff of 1897 was a great tariff, and it was made still greater by the amendments introduced in 1907. I, however, am not going to say much about the tariff, or the changes which are being made in it, but I want to speak of a resolution which is now before the Congress of the United States, the object of which is to reduce the cost of living in that country. Another object is to prevent strikes and lockouts, and allay discontent among the people. An attempt was made to improve conditions when the reciprocity pact was adopted by Congress. Though it failed in this country, it still stands in the United States, and whether we have free food or not, and whether our railroads run north, and south or east and west, the policy pursued by the United States may eventually work out, not only for the benefit of their own country, but for the benefit of Canada and all other countries in America. I feel that our industries have been built up on a very substantial basis. We know that strikes and lockouts have, to a large extent, been the outcome of these industries, but can we not find a way by which both capital and labour can be brought together, so that they may work harmoniously. That is something which we ought to do. We have had arbitrations, and officials have been appointed to settle differences between employers and employed, but labour troubles still continue. Can we do anything more which will bring about concord, where to-day and in the past there has been distrust and antagonism? There is now before the Congress of the United States, on the initiative I presume of President Wilson, a resolution to do away with strikes and lockouts. That resolution provides for the appointment of an Interstate Commerce Commission, with the power of the Government behind it to enforce a law by which all disputes between employers and employed shall be settled finally. Now if the resolution receives the sanction of Congress, and is carried out in the proper spirit, I hope we shall see the end of strikes and lockouts. That country has given us probably a solution of the question, which has been the cause of great heartburnings in this country. As regard both capital and labour with all its animosity, it may be possible for us as a nation, to bring those two interests together sufficiently to respect one another, and to give one another a due meed of justice as well as generosity, not mixed with envy or with even worse than that. It is possible. Our parliaments to-day are formulating policies which do not cover the ground, and which do not do justice to all classes of

our population? In the hope of success at the polls, they sometimes overstep the mark. Is it not time for us as a people to bestir ourselves, to show the best that is in us, rather than the worst. We know that in the House of Commons parties have by speeches or otherwise played the game of politics. There is a great field, however, for work for the Senate to do. The Committee of Congress will, I understand, on recommendation by this Interstate Commerce Commission, or some other commission, that if on investigation it is found there is too much duty on one article, take it off; if too little duty, some more will be added; if none is needed, then all will be taken off. Farming people are also to be subjected to the same commission, as to what their farms can produce. It is confidently expected that an independent commission, such as the Interstate Commerce Commission or our Railway Commission, with power to add to their members, and with the power of the continent and of both Governments behind them, can bring about such a condition in a few years that the best to be found in every person, instead of the worst, can be obtained. Strikes will now disappear, our country will come together, capital and labour will in future respect and believe in one another; at present farmers can rise up and say to Parliament or Congress what they want, and the refusal to do so would mean disaster. Railways Companies would not be able to dictate the routes upon which they should run; the east and the west and the north and the south would be all the same. Our commission would be able to say what would be the best for the country, and the country would in time bring that about. The commission would do the best always, under all circumstances. Every one would be given an opportunity, and each would depend upon himself whether he would succeed or fail. If the United States, a great country with 100 millions of people, will try this, as they are going to do, then why not our country, Canada? We are to a certain extent dependent upon the United States for trade, for commerce and for many things. They are the same kind of people, they speak the same language, they have a great many things in common with us. It may at first look formidable, but it is not particularly so. Look at our country. It is growing fast; soon we will need more than three Transcontinental lines; we hope to see three; we hope to see four; we hope to see half a dozen railways running from the East to the West in the course of a few years. In the year 2000 there will probably be more railroads running from the East to the West; therefore I do not think it is absolutely necessary for anybody to go back on the third railway, even supposing that some of the proposals may not be according to our minds. We have the East and the West and the best land on the continent of America, and plenty of it. The countries across the ocean are over-populated; a great future is now before this great Dominion, and the dawn of that year 2000, o which I have spoken, will see many people inhabiting, not only our great prairie lands, but being absorbed in our towns and cities throughout the country. Ministers of the Crown, although they are generally the best men we can get, are not always infallible in their judgments. They should appoint to office under them those who can be depended upon, men who will look on their work as a responsibility they owe to the people at large, men who can render an independent judgment under all circumstances. If any senators or any of our Ministers of the Crown have seen that resolution which is now before Congress, and which will become law, because it comes from the President of the United States, I hope they will ponder over it. I am not dictating anything to any minister, or to the House here. I am only referring to this as an item which I have seen in a newspaper. I am personally interested in this matter. I have always been a manufacturer and am one to-day, but I found when I was in the House of Commons there was always some people from the West who talked free implements. I can give the House the name of Sir Hugh John Macdonald, at that time I could give the name of a gentleman from Regina also, and others on the Opposition side at that time who talked free implements. I can give you the names of men on the Liberal side also, who have also talked free implements. I would like if possible to see all these different interests, that have grown up side by side, running their business in such a way that an International Commission could possibly make all satisfied. We ought to be a united people; we are a loyal people; our industries and our farmers and workmen, and men behind the counter, and in all classes of work feel that through some occult influence there is a power that makes for justice throughout the country. And whether we are Conservative or Liberal we should have these

Hon. M. FROST.

different elements throughout the Dominion harmonized, so that no one would be dissatisfied or discontented or felt that any part of their industry or any part of their life work has been wiped out through some Act of Parliament, or by speeches of men who perhaps knew practically nothing about the business. We know that the United States Government are taking this subject up; we should take it up also. As far as I am concerned I would not care whether it was Liberals or Conservatives who took up the subject. We should do away with the animosities and antagonisms, which at present occupy the minds of the people to a much larger extent than hon. gentleman have any idea.

Hon. Mr. DANDURAND—I crave the indulgence of the House for a few minutes to answer some of the remarks of the hon. gentleman from Wentworth, who has spoken of the variations of the Liberal party on the trade question. The hon. gentleman claims that the Liberal party during the last 30 years has often shifted its ground, and has spoken of the battle waged by that party up to 1891, in favour of unrestricted reciprocity with the United States. I shall admit that since 1891 the views of the Liberal party—their official views as well as those held perhaps by the majority of the leading Liberals in the country—have changed on this point, and that 20 years after that election of March 1891 the Liberal party would not have been disposed to go as far as it did then. If the hon. gentleman will recall the struggle of 1891 he will find that the two parties in Canada at that time held views to which neither of them clung 20 years after. In 1891 the Liberal party was in favour of unrestricted reciprocity with the United States, because it was convinced that what it wanted more especially, reciprocity in natural products, could not be obtained from the United States, except at that price. What the Liberal party wanted, especially in 1891, was the United States market for natural products. What was the position of the Conservative party, at that time holding power? It was—and I speak in the presence of one of the members of the Cabinet of 1891—that if we could obtain reciprocity in natural products with the United States it would be a most welcome advantage for Canada. And what did take place in 1891? Sir John Macdonald's Cabinet dissolved Parliament for the reason, officially expressed, that Mr. Blaine, the Secretary of State of the United States had expressed the willingness to discuss a treaty of reciprocity in natural products. This was the cause, some say the pretext, of the dissolution of the House in February 1891, which was a premature dissolution, for the purpose on the part of the Conservative Government of asking the people of this country if they were favourable to a treaty of reciprocity in natural products with the United States. The election was waged as between the Liberal party that stood for unrestricted reciprocity, in order to obtain limited reciprocity in natural products, and the Conservative party which was ready to bargain with the United States for a treaty in natural products. That was how the battle was fought in the election which terminated on the 5th March, 1891. I contend that on that date the whole of the electorate of Canada voted in favour of restricted reciprocity with the United States.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. DANDURAND—The Conservative party which received the majority of the vote of the electorate, obtained the sanction and mandate of that majority from the electors of Canada in favour of a bargain in natural products with the United States. Those who differed with them only differed because they wanted to go further and sanction an unlimited treaty of reciprocity, but mainly for the reason that they could not obtain the United States market for their natural products without that sacrifice. These were the conditions in 1891. I observe my hon. friend from Hastings (Hon. Sir Mackenzie Bowell), shaking his head in dissent. I say that Sir John Macdonald dissolved the House with the sanction of my hon. friend from Hastings in 1891, for the express purpose of consulting the people on the opportunity of making a treaty or bargain with the United States in order to have a free exchange of natural products. The Conservative Government at the time felt that the farmers of Canada needed, to such an extent a wider market, that there was peril in going to the people without showing a laudable effort on their part to obtain that United States market, while at the same time telling the manufacturers that the tariff would not be touched as far as it concerned them. That was the stand of the two parties in 1891. Sir John Macdonald carried the election. What did he do the next day? He sent a delegation. I have not the names of the members of the cabinet and I am not quite sure whether my hon. friend from Hastings was one of the deputation.

Hon. Sir MACKENZIE BOWELL—Yes, I was.

Hon. Mr. DANDURAND—And I remember that there were a couple of representatives in the Cabinet from the Maritime provinces who accompanied the members of the Government to Washington.

Hon. Sir MACKENZIE BOWELL—Sir John Thompson, Hon. Geo. E. Foster and myself.

Hon. Mr. DANDURAND—They went to carry out the promise made to the electorate in trying to obtain a treaty or arrangement with the United States, in order to have a free exchange of natural products between the two countries. They went to Washington. What remains in my mind from the result of that visit was that our official representatives were not very sympathetically received. Of course, I was perhaps mainly reading the press in opposition, but I heard that they had been treated so coldly that it really was tantamount to a snub. We were told at the time, perhaps it was through the channels of the Liberal press, that the United States Government was not quite satisfied with the use of the name of Mr. Blaine by the Government of the day, Sir John A. Macdonald's cabinet. When the matter was discussed in the House in the following session, Sir John A. Macdonald had to admit that that offer of a treaty of reciprocity in natural products had filtered through the Canadian High Commissioner in London, Sir Charles Tupper. I am simply speaking from memory, and I have not refreshed my memory on those facts. I am stating what has remained in mind ever since 1891, all this going to convince me that the Conservative Cabinet at the time had seized upon a very flimsy pretext to go before the people, and to tell the farmers of this country "You will have the United States market, because we have a strong conviction that we can make this bargain with the United States." Well, 20 years passed and during those 20 years, I affirm, no representative of the Conservative party in either branches of Parliament, inside or outside of Parliament, has told the people that an arrangement with the United States by which we could obtain the opening of that market freely for our products, would be disadvantageous to this country. No man of any of the different parties of the country, officially or otherwise, allowed the people of this country to believe during those 20 years, that the opinion held in 1891 by both parties in Canada was not still the opinion of everybody in Canada. I have a profound conviction that if the Conservative party had been in power in 1911, and had been offered a treaty of reciprocity in natural products, they would have jumped at the offer. I have that profound conviction because I was present in the House when the then Minister of Finance (Hon. Mr. Fielding), laid before the House the details of that bargain, and I could see the members sitting to the left of the Speaker jumping up from their seats and applauding the Government and the Minister of Finance, when he was declaring certain articles that were to be on the free list. Some of them could not be restrained, in their eagerness to find out if that market had been opened, and won for them on certain articles, from jumping up and running ahead of the declaration of the Minister of Finance and asking him if such and such a thing were on the free list, and applauding with both hands. I saw that with my own eyes.

Hon. Mr. GORDON—Which side?

Hon. Mr. DANDURAND—The Conservative members sitting to the left of the Speaker.

Hon. Mr. GORDON—Does the hon. gentleman know the reasons why.

Hon. Mr. DANDURAND—Because of the happiness they felt at the advantage the people of Canada would get from this treaty. I do not believe my hon. friend was in the House at the time.

Hon. Mr. GORDON—I was.

Hon. Mr. DANDURAND—I may say I saw that from the galleries with my own eyes. In fact, if hon. gentlemen would look at the speech made by Mr. Fielding made at the same time, they would see the interruptions, but they would not hear the clapping of hands which I heard, when I was there, coming from the left of the House. Well the Conservative party met, and the party decided to oppose this arrangement. It was their right. They could plead changed conditions, and put up an argument in favour of it, and it would have been their absolute right. I am not recriminating as to that, but I say that when every elector of Canada twenty years before was invited by the leaders of both parties to look towards the United States for improved market conditions, and when every elector of Canada voted for a freer entry into the United States of our natural products—nearly half of them voting for a freer entry of industrial products—that it

ill-became some leaders of public opinion in this country to raise the cry and stampede the people on the loyalty cry, and to ask them 'Under which flag will you live?' This is the point I want to make: My hon. friends of the Conservative party were perfectly entitled to change their minds, the Liberal party had also changed its point of view. In 1891 we had asked for unrestricted reciprocity; in 1911 we were moving to the ground held by the Conservative party in 1891 and saying: 'What the Conservative party was asking in 1891, what we all desired in 1891, we have now obtained;' because as a matter of fact if you look at that treaty, you find that it was on all fours with the hopes and expectations of the Conservative leaders of Sir John A. Macdonald and his Cabinet in 1891. In 1911 the Conservative party did shift its ground in a far more accentuated way than the Liberal party. In 1891 the Liberal party only wanted more especially, the exchange of products with the United States—the freer entry of our products into that country. In 1911 we still wanted that. I still want it now; I still believe that it would be a very great advantage to Canada to have that market with all its towns and cities, from the Atlantic to the Pacific. But I claim that, in reality, the Conservative party always desired it, and still desires it, and boasts at this moment of having obtained it without paying anything in return. What did we hear at the election in 1911 amongst the arguments that were made against that treaty or arrangement? It was alleged that there was no use hurrying into this bargain; that the Democrats were about to win the elections in the United States and that the market would be open without any quid pro quo being required in return.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. MURPHY—Was that not right?

Hon. Mr. DANDURAND—But I draw my hon. friend's attention to this fact, that it was alleged that if we made the bargain with the United States, and if we allowed the free interchange of products between the two countries, we would establish a certain condition of things which would be most advantageous to a certain part of the population. Then it was argued that, once that interchange had taken place, and this market had been secured, the American would recall the treaty and close the door on our products in order to create such a state of dissatisfaction in this country that the Canadian farmer would ask for annexation. This is the argument I saw in print; this is the argument I heard on the stump. Well, the Americans have done the trick; they have reduced their tariff; they have put on the free list most of our natural products, which are going to their market where they get a better price. The horrible consequences which were put before the electorate of having established a state of things by which we would be in the hands of the Americans, who could close their market upon us and create a movement in favour of annexation, is at our door. After our farmers had free entry for some certain number of years into the United States—so the fear was expressed, a fear shared by the majority of the electorate—the Americans could play the trick and put new duties on natural products in order to create dissatisfaction with the condition of things in Canada, and bring about the movement for annexation. Well, to me, those arguments were all clap trap, and yet it is on such arguments that the electorate voted against that reciprocity pact.

Hon. Mr. WATSON—The Americans are annexing our cattle now at a high price.

Hon. Mr. DANDURAND—As I said, the trade returns will show that the fearful danger of trade running north and south has come about. It has already arrived, and it will always go on increasing. It took men with very faint hearts to believe that with a few more bags of potatoes going to the United States, our hearts would go also. Of course, we are a peculiar people in the province of Quebec, but it has never occurred to a French Canadian mind that a greater interchange of products with the United States would ever affect our political status. I am quite sure that the majority of those who did utter such a thought, did not take very much stock in it. While on this subject I might say that I am amazed to hear men like Sir John Willison, who represents the 'London Times' in Canada, and others, constantly speaking to the British electorate and to British public of the danger of the Americanization of this country. Those men are possibly creating, or risking the creation of the condition which they fear. Talk about such nonsense as the Americanization of Canada—which I take for granted would mean a desire to withdraw from the British flag and adopt the one to the south of us—is the most dangerous kind of talk that can be made. It amuses me to see how excited, how nervous

is British public opinion over the fear that Canada may slip slowly towards the United States. My only fear is that those gentlemen in London who are so much concerned over the future of Canada, may interfere in our local affairs to such an extent as to bring about dissatisfaction. If Canada is left alone to follow its own inclination, and develop on its own lines without any interference, our children and grandchildren will still cling to the link which binds us to Great Britain and see the British flag flying over this country.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. DANDURAND—I am in sympathy with the resolution of my hon. friend from Halifax (Hon. Mr. Power). I believe that we can express our opinions in this House on these questions, which are important questions, though we cannot implement them by legislation in this Chamber. I would not like that, after thus expressing our views on these large and important questions, the Senate should divide on such questions. When they are questions affecting the programmes of both parties we do not need to divide, for we know in what schools we have been respectively brought up, and we know and could practically make lists of the senators who would vote one way and those who would vote the other way. It seems that these discussions may have some good effect, and it is not unbecoming that we should express our views in a calm way, standing by facts and theories as we believe them to be true, but I would deprecate the idea of bringing this question to a vote, in order that we should count noses, when we know exactly what the result will be. Therefore, I would urge my hon. friend the member for Halifax, not to press such a question to the vote of the Senate.

Hon. Mr. CURRY—I do not propose to make a speech, but I offer this thought for the consideration of the farmer and free trader—why is there a depression in Canada to-day and why does it not give way to prosperity? It is claimed by many farmers and free traders that if the farmer has good crops and sells the same at good prices we must have prosperity. We have had good crops in this country for a number of years, and the prices have been so high that many householders complain of the high cost of living. In addition to our good farm crops, our mining has been prosperous and has grown to a very large proportion. In addition to that, our fisheries have been prosperous, and prices have been good. But notwithstanding the prosperous farming, backed up by those two other important industries, we have depression. That does away with the theory that we are bound to have prosperity when the farmers prosper. We must look somewhere else, and I can tell you in two words where the trouble is.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. CURRY—Idle workshops. Very few people in this country realize the proportions to which our manufacturing has attained. For instance, we had a gentleman before us yesterday, in the Committee on Banking and Commerce, a mining engineer, who is at the head of the mining institute and mining fraternity, and so little did he know of manufacturing that he made the statement that mining had now become the second industry and was next to agriculture, and that the mining output was over $140,000,000. Three years ago the output of Canadian factories had reached the sum of $1,500,000,000, and they had $1,250,000,000 of capital invested. I presume that a year ago we were manufacturing at the rate of $1,700,000,000 or $140,000,000 a month; that is, the factories were turning out as much in one month as the mines were turning out in twelve months. Speaking of mines, which include gold, silver, nickel, lead, iron, coal, oil, gas and all others, they produced only as much in twelve months as the factories produced in one month. The falling off in work this year involves the loss of $400,000,000, a sum probably greater than the total farm crops in Canada west of the great lakes. This falling off accounts for the present depression. I could form a pretty good opinion as to why and how this falling off came about. Our merchants, small traders, salaried men, and wage earners were locking up too much of their money in land and other things where they could not realize on it, to such an extent that the banks began to call in their loans. Also, our towns and cities in the West were developing faster than they should, and the financial men became afraid and would not put up the money for further extension. This meant that the salaried man, the wage earner, the small trader had to retrench in their living. They must buy less goods, and those goods were practically all manufactured goods. The same applies to the towns of the West. They had to stop

buying cement, sewer pipes, water pipes, etc.; that meant the railways carried less freight and passengers, and they had to retrench. The statistics of the United States show that the railways consume about 40 per cent of all the iron and steel manufactured in that country, and about the same percentage of coal. The same figures would apply here, so that when the railway traffic of rails, etc., dropped off, their purchases also naturally dropped off for equipment. Those things account for the depression we have experienced and this condition must last until something happens that will get the workshops busy again. I am in hopes that when this railway Bill goes through, it will mean the turning point, The railways will begin to buy and others in turn will buy, there will be a demand for manufactured goods, and we will gradually get back to where we were. I believe that statesmen centuries ago understood these economic conditions better than we do. It was one of those statesmen who said that a country to be prosperous must have busy workshops, cheap transportation and good farming. Some people today think that good farming will do the whole thing. I make this statement, that neither this country nor any other civilized country ever has been, or ever will be prosperous while they have idle workshops.

Hon. Mr. THOMPSON—Does the hon. gentleman want us to understand that the workshop is the foundation of prosperity?

Hon. Mr. CURRY—I did not say that.

Hon. Mr. THOMPSON—You cannot have prosperity without the other industries being busy too. The workshop is simply associated with the result of the prosperity of other industries. It is the result of the transfer of money produced by the others.

Hon. Mr. CURRY—That is what I said exactly. I say you must have the workshop as well as the farm.

Hon. Mr. THOMPSON—The hon. gentleman started out with the idea that an hon. member said yesterday that mining represented the second largest industry in the country, and that in saying so he had made a mistake. At the time the hon. gentleman made that statement he said the great industries were necessary for the progress and prosperity of the country. You cannot have your workshop until you get the money previously produced by the other industries, agriculture, the mines and the forests, and your workshops will stop in this country if those other industries are not prosperous.

Hon. Mr. CURRY—That is exactly what I said.

Hon. Mr. THOMPSON—If those other industries are depressed your workshops will be idle.

Hon. Mr. SMITH—In what way are the cotton manufacturers dependent on the farms and the mines?

Hon. Mr. WATSON—If the farm and the mine are not prosperous the cotton manufacturers will not sell much of their cottons. My hon. friend opposite points out that the cause of the depression is the idle workshop. He thinks it is the business of the people of Canada to get busy and furnish something for the workshop to do. It is not the workshop that is producing the wealth of Canada: it is the farmer who tills the soil, the miner who operates the mine and the man who produces lumber. We should have legislation passed that will enable the wealth producers of Canada to produce the wealth necessary to make good farms. I do not intend to deal with many of the matters which come within the scope of this discussion, but I want to say, speaking for the West, that the Government have an opportunity to do something that, in my humble opinion, will do a great deal to relieve the present depression—that is, give the western farmer an opportunity to realize a better price for his products. In another place that has been asked for and denied by a majority. The greatest mistake that could possibly be made for the people of the northwest, was the defeat of reciprocity. I know what I am speaking about when I say that the people of the Northwest have lost heavily because of the rejection of reciprocity. I can give an idea of some of the benefits that would have been derived by the farmers of the Northwest if the reciprocity pact had been confirmed at that time. I said before elsewhere that in the one crop of 1911 the farmers would have realized at least 20 million dollars more on their grain if they had had the benefit of reciprocity. I know machinery manufacturers who claim that the West do not pay their debts. I know that one year they could collect only 20 per cent. I am satisfied that in 1911, if the farmers had been given an opportunity to market

their natural products where they could have got the highest price for them, they would have been able to pay the manufacturers.

Hon. Mr. GIRROIR—My hon. friend is speaking of the price of wheat and says that under certain conditions the price of wheat would have gone up. Would that increased price of wheat have raised the price of flour?

Hon. Mr. WATSON—No.

Hon. Mr. GIRROIR—Why?

Hon. Mr. WATSON—One peculiar thing about some gentlemen is that they cannot understand how you can get more for your wheat without raising the price of flour. I do not say that if the ten cents per bushel were taken off wheat going into the United States that our farmers would get ten cents more per bushel for their wheat, but they would get two or three cents more. On some grades of wheat which we cannot export now he could get ten or fifteen cents more if he could dispose of them in the Minneapolis market. In Minneapolis and the surrounding district there is a milling capacity of 250 million bushels a year which is never operated to over 40 per cent of its capacity. If the Minneapolis millers could get our wheat they would grind it for export and sell the offal. Let me illustrate how the farmer would be benefited by the removal of the duty, by showing the effect by the change of tariff in the United States on oats last year. Up till the close of navigation last year, that is two months after the Underwood tariff came in force, over 23,000,000 bushels of oats were shipped from western Canada into the United States. It is estimated that up to the present time over 30,000,000 bushels of last years oats have been exported to the United States on which the duty is only six cents now. No one imagines that that 30,000,000 bushels of oats will materially affect the price of oats in the United States.

Hon. Mr. GORDON—The duty on oats has been reduced to six cents. It had formerly been fifteen cents. You claim that there will be 30,000,000 bushels exported this year?

Hon. Mr. WATSON—Yes.

Hon. Mr. GORDON—Which would it be better for, to have that reduced, the buyer or the seller? In other words who will pay that six cents duty?

Hon. Mr. WATSON—The seller. What I am saying is that 30,000,000 bushels of oats going into the United States market will not affect the price of oats in that country; consequently the man who sells the oats pays the duty.

Hon. Mr. GORDON—The consumer is not paying it?

Hon. Mr. WATSON—No. Whether the seller or the purchaser pays the duty, depends on supply and demand. At the rate of six cents per bushel on 30,000,000 bushels of ots, the western farmer paid $1,800,000 to get his oats into the United States market. The statement has been made here yesterday and to-day that the farmers of the West are mining the land. They are cultivating their land as well as the farmers of Ontario, under scientific principles. They are no more miners of the land than are the farmers of Ontario. They are trying to keep the soil in good shape. A foolish statement has been made to the effect that the British market governs the price of our wheat. How much do they take? Last year they took about 40 million; it is estimated on the best authority that the British market will never take much more than 50 million in any year. Then, what is going to happen to the West. The hon. gentleman opposite (Mr. Curry) speaks of the importance of the factories to this country. What would they be without the Northwest? The only way to build them up is to settle the Northwest. If the farmer does not make a profit on his work he will quit, the same as the manufacturers do in the East when they are not prospering. Now if Great Britain will not take more than 50,000,000 bushels of wheat from us every year what is to become of our farmers in the Northwest in the future? Where will they look for a market? The natural market for our wheat and other products is the United States.

Hon. Mr. BOYER—And the West Indies.

Hon. Mr. WATSON—We have a population of nearly 100,000,000 people right near our doors asking for our farm products. But an hon. gentleman says in reply, the United States is an exporter of wheat and flour. That is true, but the wheat they export is not hard wheat, and in return for what they are exporting they are purchasing hard wheat at a premium. It is a question of the survival of the fittest. If the farmers of the Northwest can grow wheat cheaper than the farmers of the United States can grow it under free trade in wheat, our farmers will feed the people of the United States. Forty years ago Illinois was a great wheat producing state. There is not one-fourth enough wheat grown in

that state now to feed their own population. Thirty years ago Minnesota was a great wheat growing country. Any one who would have talked then of growing corn in Minnesota would have been regarded as foolish. Now they are growing corn there and reducing the production of wheat. They are growing corn as far north as they can mature it, because corn gives a better return. We have soil in the Northwest which produces the best wheat in the world. Why not give us an opportuuity to find the best market for our grain? My hon. friend opposite (Hon. Mr. Curry) says that when the Canadian Northern Railway Bill passes and we get $45,000,000 of the taxpayers' money in circulation the manufacturing industries will find relief. That may be so, but the taxpayer has to pay the money and it is simply adding another burden to those he already has to bear.

Hon. Mr. CURRY—The taxpayer is always glad to get railway facilities.

Hon. Mr. WATSON—Yes, and the manufacturers are always ready to come to Parliament and ask the taxpayers to pay the railway companies' debts.

Hon. Mr. CURRY—The expenditure of that money will do the West more good than it will do the East.

Hon. Mr. WATSON—I am satisfied there are some people in the East who will get a great deal more out of the expenditure of that money than the farmers who have to pay the taxes. Reference has been made to the attitude of the Conservative party in 1891. I remember very distinctly when Hon. Geo. E. Foster came back from Washington with his colleagues and reported to the House of Commons the result of his mission. There is no question about it. In 1891, the people of Canada were practically unanimous in favour of reciprocity in natural products with the United States, and when that commission went to Washington and proposed to the United States Government that there should be reciprocity in natural products, as Mr. Foster reported to the House of Commons on his return, the offer was refused unless Canada was prepared to include manufactured articles as well.

Hon. Sir MACKENZIE BOWELL—They wanted more than that: they wanted us to discriminate against Great Britain in the admission of manufactured goods.

Hon. Mr. WATSON—I am giving Mr. Foster's statement. He said to the repentatives of the United States, 'What about the manufacturers in Canada?' The reply was, 'You can take care of that. If you are going to have natural products admitted free into this country we must have manufactured goods free into yours,' and that was the excuse given at that time for the failure to bring about reciprocity. I could not let this opportunity pass, in view to the statements made here to-day, without entering my protest against the idea that the American market would not be the best possible one for the farmers of the Northwest. I tell the hon. gentlemen opposite, just as sure as they occupy seats in this House that the farmers of the Northwest must get the American market. Last year our farmers had a good crop, harvested under the best possible weather conditions, and and the railroads took the crop away rapidly,—probably too fast, because the flood of wheat depressed prices,—yet under those conditions the farmers of the West last year did not make money. If the farmer cannot make money he has to quit farming, and the manufacturer cannot sell him goods. Prosperous farmers in the Northwest mean prosperity to Canada. You talk of railway legislation: we have in Canada more miles of railway in proportion to population than any other country in the world—a mile to every 275 inhabitants. There are no 275 people in Canada who are able or would be willing to pay the cost of operating a mile of railway. If you want prosperity you must have more population. My hon. friend spoke of the production of wheat in the Northwest as mining: it is mining in this sense, that it is digging wealth out of the ground, but not in any other sense. You must give the farmer of the Northwest an opportunity to make a profit on his work; until you do you will not have prosperity in the Northwest.

Hon. Mr. CHOQUETTE moved that the debate be adjourned until the second setting.

The motion was agreed to.

BILLS INTRODUCED.

Bill (214) An Act respecting the Canadian Northern Railway System.—Hon. Mr. Lougheed.

SECOND READING.

Bill (80) An Act respecting the Canadian Northern Railway Company.—Hon. Mr. Watson.

The Senate adjourned until three o'clock to-day.

SECOND SITTING.

The SPEAKER took the Chair at Three o'clock.

Routine proceedings.

TRUST COMPANIES BILL.

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of Bill (170), An Act respecting Trust Companies.

Hon. Mr. BEIQUE—I have no intention to move any amendment to the motion, but I desire to place myself on record as to certain features of this Bill. The object of the Bill is to provide for the incorporation of trust companies by Act of Parliament, and provisions are to be found in this Bill whereby, and I refer to clause 66 of the Bill, all companies coming under the operation of this Bill will be compelled to apply or invest any money of their own in certain classes of securities mentioned in clause 66 of the Bill. I entirely approve of this. But clause 63 of the Bill mentions the securities in which the moneys which are entrusted to trust companies may be invested. Clause 63 will, of course, apply to all companies that will be incorporated but will not apply to trust companies that have already been incorporated. As to these, there are trust companies that have been incorporated by Acts of the legislature of the different provinces, and some of these companies have obtained an Act from the Parliament of Canada enabling them to carry on their operations in the whole of the Dominion of Canada. On referring to the charter of these different companies incorporated by the legislatures, it will be found that a provision is contained in these charters compelling them to invest their trust funds practically in the same class of securities that are mentioned in clause 63 of the Bill. Now, I do not find fault in regard to these companies that they are not brought under clause 63 of the Bill, nor do I find fault with another class of trust companies that have been incorporated by Act of this Parliament, because again in their charter will be found provisions compelling them to invest the trust moneys in such securities that are mentioned in clause 63 of the Bill. But there are some twenty odd trust companies that have been incorporated by letters patent, and in regard to those trust companies, none of them are compelled to invest their trust money in any classes of security. They are perfectly free under the letters patent and under the incorporation governing each of those companies, to invest them as they like. The moment it is deemed advisable to pass a general trust Act, all those companies that have been incorporated by letters patent should be brought under the operation of clause 63 of the Bill, not as regards the investment that they have already made, but as regards future investments. It seems to me to be logical that we bring them under the operation of clause 66, which has relation merely to their own funds, and which compels them to invest their own funds, as directed in this section, and not bring them under section 63 regarding their trust funds. This is the first criticism that I desire to make of the Bill. The second criticism is this: on reference to subclause 7 of clause 66 of the Bill you find that all trust companies heretofore incorporated either by Parliament or by letters patent shall on the first of January 1917 be brought under the operation of this legislation. I am very much afraid that the effect of that subsection will be to bring under the operation of this Bill not only the trust companies, but the mortgage companies, which is not the intention of the framers of the Bill, and this is because of the definition which is to be found in the Bill 'What is the meaning of company or trust company.' On referring to clause 2 subsection (e), I find this:

> (e) 'the company' or 'trust company' means a company incorporated for the purpose of—
>
> (i) exercising the powers set forth in section 62 of this Act; or
>
> (ii) executing the office of executor, administrator or trustee—either with or without other objects or powers.

This last definition will have the effect of bringing most of the mortgage companies under the operation of the Bill on the 1st January, 1917. However, I have drawn the attention of the department to the matter, and have discharged my responsibilty. It will be for the companies which may be affected to determine whether they should not ask at a future session of Parliament that the law we are about to pass be amended in such a way that they may not be

affected by this legislation. There is one provision however, to which I would especially call the attention of the leader of the Government. I understand that it is being arranged that the Companies Act is to be amended in such a way that the Secretary of State may come to the relief of some of the trust companies, that are to be affected by this Bill. It is very proper that that should be done, but in order that the Secretary of State may be able to come to the relief of those companies, it would be necessary to provide that this Act shall not come into force until a future date—say a month or two months after its passage—because subclause 7 of clause 66 brings all these trust companies under the operation of the Bill—that is, all trust companies heretofore incorporated. If they are trust companies then, the Secretary of State will not be able by amending their powers to remove them from the operation of the Bill. It would be necessary to say that this Bill shall come into force, say 60 days after it is sanctioned, in order to give these parties time to obtain new legislation, in order that they may abandon their rights as trust companies and possibly change their name.

Hon. Mr. LOUGHEED—With reference to the last objection, my hon. friend from De Lorimier (Hon. Mr. Dandurand) discussed this matter with the representatives of the Finance Department, and the State Department, and he was satisfied at noon, when I saw him, that it would be unnecessary in any way to amend this Bill. I informed him that immediately we resumed our session I would move the third reading of the Bill, and he said that that would be satisfactory, and that the assurance which he received from the Under Secretary of State and also from Mr. Ross of the Finance Department was quite sufficient for his purpose. There is now a Bill before Parliament dealing with the Companies' Act, and it is proposed that in the House of Commons that Bill shall be so amended as to meet the requirements of those companies that have been incorporated under the Companies' Act by letters patent. Furthermore, it has been arranged or discussed and I think to the satisfaction of those interested, that supplementary letters patent will issue to the holders of letters patent thus separating if necessary the trust powers of a company from the other powers which those companies have been given. Under the circumstances my hon. friend should be satisfied that the interests of those companies will be duly protected, and more particularly owing to the fact that that special class of company is not required to conform to clause 66 of the Bill until the 1st January, 1917. The steps which we propose taking will be taken immediately, so that I am satisfied no difficulties will result therefrom.

Hon. Mr. BOSTOCK—Do I understand the steps will be taken at this session?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BEIQUE—If the hon. member from De Lorimier (Hon. Mr. Dandurand), is satisfied I have no objection. I have no intention of moving any amendment; I have drawn his attention to the matter, and I am positively sure that companies he has in mind will be unable to get any relief from the Secretary of State.

Hon. Mr. LOUGHEED—I brought those three gentlemen together immediately after adjournment, and they expressed to me their satisfaction that it had been satisfactorily arranged.

The motion was agreed to, and the Bill was read a third time as amended.

THIRD READING.

Bill (147), An Act to amend the Post Office Act.—Hon. Mr. Lougheed.

INSPECTION AND BRANDING OF PICKLED FISH BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (182), An Act to provide for the inspection and branding of Pickled Fish.

(In the Committee.)

On clause 6.

Hon. Mr. POWER—A few remarks on this clause might not be out of order. In this Bill as far as I have been able to notice, there is no provision for giving the dimensions and materials out of which the barrels are to be made. It might be said that there is provision already for that in the Inspection and Sales Act, but I find the last clause of this Bill repeals part VII of the Inspection and Sales Act, chapter 85 of the Revised Statutes, the portion of the existing law which refers to a number of things which do not seem to be provided for in this Act. For instance, section 242 of the Inspection and Sales Act, provides for the material of which tierces, barrels, etc., are to be made:

Tierces, barrels and half-barrels, shall be made of sound, well seasoned split or sawed staves, free from sap, and in no case of hemlock, and the headings, shall be of hardwood, pine, fir or spruce, free from sap, and planed on the outside, and shall be at least three-quarters of an inch in thickness; the staves shall be five-eights of an inch in thickness; staves for salmon and mackerel barrels shall be twenty-nine inches in length, and the heads between the chimes seventeen inches; staves for barrels for herrings shall be twenty-seven inches in length, and the heads between the chimes shall be sixteen inches; and the bung staves of all such barrels shall be of hardwood; all casks shall be hooped with not less than fourteen sound, good hoops of not less than five-eighths of an inch at the small end for all tierces and barrels, and in no case to be of alder.

Hon. Mr. LOUGHEED—Will my hon. friend look at clause 20 of the Bill and see if that will not go sufficiently far.

Hon. Mr. POWER—Clause 20 says:

20. If any dispute arises between any inspecting officer and the owner, packer or possessor of any barrels, half-barrels or other packages of cured fish inspected by said officer, with regard to the quality or condition of such barrels, half-barrels or other packages or the fish they contain, said dispute shall be forthwith referred to another inspecting officer whose decision in the premises shall be final; provided that no appeal from the inspecting officer's decision shall be considered in any case where the indentity of the article in dispute has not been preserved.

That really does not affect the matter, because in the law, as we have it here, there is an express provision describing what the dimensions of the barrels shall be and of what material they shall be made; but you repeal that and there is no regulation. I am not going to move any amendment to the measure, but it occurs to me that if you were initiating a new system and intended to provide, as I think is necessary, for better materials for the barrels, it would have been better on the whole to have put those provisions in the Bill. As it is now I assume, though I do not know, that under clause 6 the Governor in Council would have power to make those regulations; but it seems to me that when we can avoid it is better that we should not leave things to the Governor in Council, but that the requirements of the law should be set out in the Act itself. Now they are set out in the chapter of the Revised Statutes, but under this Bill, when it comes into operation, the Governor in Council will have to make regulations, and these will be published in the Canada Gazette, etc. It would be more convenient for all concerned if the regulations in respect to barrels and half-barrels were contained in the Bill itself.

Hon. Mr. POWER.

Hon. Mr. LOUGHEED—The Bill will give sufficient authority to pass regulations with respect to barrels, and it seems to me that it would be more desirable to permit of those regulations determining what those barrels will be rather than that we should decide arbitrarily by Act of Parliament what they should be. Upon an examination of the entire subject being made, it may be found desirable to regulate packages differently from the way we would regulate them to-day, if we did so by Act of Parliament. As the Act is very largely experimental, it seems to me it would be desirable to permit of that subject being considered by the inspector, or by the department, and regulations adopted accordingly.

Hon. Mr. POWER—I simply call attention to it.

The clause was adopted.

On clause 26.

Nothing contained in this Act shall compel any person to present for inspection any fish or barrels, half-barrels or other packages in which they are contained.

Hon. Mr. BOSTOCK—Would the hon. leader give us some explanation as to how this is going to be worked out?

Hon. Mr. LOUGHEED—My hon. friend will observe that under clause 9 it is a purely voluntary inspection system. If any persons who are packers of fish dsire to take advantage of the benefits which will arise from the certificate of the Government inspectors being attached to their package, they shall give notice as provided by clause 9 to the inspectors that they desire the system of inspection to be put in operation with reference to their case. Upon that being done then the Act comes into operation so far as these particular packers are concerned. The object being to introduce the system of inspecting this class of goods and thus demonstrate to those engaged in the trade the additional advantages that must accrue from a proper inspection of the business and in having the certificate attached to the goods when they are placed on the market.

Hon. Mr. BOSTOCK—Then when the Bill comes into effect the Government will have to send an official around to educate the people as to the desirability of this instruction.

Hon. Mr. LOUGHEED—Yes, they propose doing educational work along that line.

The clause was adopted.

On clause 28.

28. Except as in this Act otherwise provided, every one who violates any provision of this Act, or any regulations made under it shall be liable to a penalty of not more than five hundred dollars, and in default of payment to imprisonment for a term not exceeding six months, or to both.

Hon. Mr. POWER—That is a heavy penalty.

The clause was adopted.

On clause 30.

30. Part VII, of the Inspection and Sale Act, Revised Statutes of Canada, 1906, chapter 85 is hereby repealed.

Hon. Mr. POWER—Clause 30 absolutely repeals part 7 of the Inspection and Sale Act. Chapter 85 of the Revised Statutes. Does it not strike the hon. gentleman that that is going a little too far? Part 7 of the Inspection and Sale Act should be left in operation as to such fish as are not brought under the operation of this Act. Clause 26 says that nothing contained in this Act shall compel any person to present for inspection any fish or barrels, half-barrels or other packages in which they are contained. So that it is optional with the fisherman or the owner of the fish to bring them under the operation of this Bill or not, and if he does not choose to bring his product under the operation of this Bill, it should be under the operation of the existing law, part 7 of the Inspection and Sale Act. It would be well to add some words like the following:

Is hereby repealed so far as respects fish brought under the operation of this Act.

Hon. Mr. LOUGHEED—If my hon. friend will submit any amendment, I will undertake to have it properly considered on the third reading.

The clause was adopted

Hon. Mr. BOLDUC, from the committee, reported the Bill without amendment.

THE TARIFF.

DEBATE CONTINUED.

The Order of the Day being called:

Resuming the adjourned debate on the resolution of the Honourable Mr. Power:

That this House regrets that the Government, having decided to alter the tariff, have made no effort to lessen the cost of living by removing or substantially reducing the duties upon the necessaries of life.

Hon. Mr. CHOQUETTE—I want to say a few words with reference to the position taken by the hon. member from De Lorimier, and to request the hon. member from Halifax not to press this motion to a division. We in this House are not supposed to have any political bias, especially on a question like this, and it would be unfortunate if the members of this House were to put themselves on record on party lines on a subject of this nature, which is very large, elastic, and difficult of application. My hon. friend did not say how he thought the cost of living might be reduced without impairing the revenue. If we take the duty off some necessaries of life we must make up the revenue by taxing something else. If we make sugar, butter, etc., free, we may have to increase the duty on other items, such as clothing, boots, etc., which are also necessaries of life. So I think, in the first place, it would endanger the independence of the Senate to ask the members to register their votes in one way or another in a division on party lines. Secondly it would be disadvantageous for members to put themselves on record on a motion of this kind, because when the Liberal party returns to power, as I hope it will soon, those who vote for this motion to-day may be the first to stand up and vote the opposite way with another Government in power.

Hon. Mr. POWER—I am quite willing to risk that.

Hon. Mr. CHOQUETTE—We all remember when the Liberal party was in power a resolution was offered from this side of the House which the Liberal party voted down. The very next year, with a new Government in power, the same resolution, word for word, was introduced, and the Liberal party voted for it. I do not think it is advisable, in the Senate especially, to ask members to vote on academic questions like this. It is a money question. We have no right to reduce or increase or amend the tariff, and why should we be called upon to vote upon a question which, under a different set of circumstances, we may be asked to vote upon in another way? It is a very convenient subject for men who like to enlighten the people to discuss, but to ask the members of the Senate to pronounce themselves on a question of this kind, when we are in no position to make our decision effective, is a mistake. It is rather a question for politicians who are opportunists, and wish to make use of it for the purpose of accomplishing some purpose they have in view. One year they will speak and vote one way, and the next year they will speak and vote another way; if we look for examples of that, we find it is common to

every leader in every Parliament. As far back as I can remember, in 1878, the tariff has been a question of opportunity, of catching votes. I remember quite well, though I was then a young man, beginning to take some interest in elections the last days of the Mackenzie Government. An election was to be held shortly and it is a matter of history that Sir John A. Macdonald was trying to ascertain what the Mackenzie Government was going to do about the tariff; if the Mackenzie Government adopted protection, a motion was already drafted by the Conservative party to adopt free trade, or reciprocity; and when the Mackenzie Government inclined to free trade and changed the tariff two or three per cent, Sir John A. Macdonald—an opportunist, and there are many good opportunists in the Liberal party also—adopted the National Policy. Let us come down a little later. What was done in 1893? I do not blame the Liberal party for the stand it took then. I was one of them at the time. In 1893 we adopted a policy that was to uproot protection. In 1891 our policy was unrestricted reciprocity; in 1893 it was free trade; and I remember that in the great convention of 1893 I moved the resolution against protection and in favour of free trade. As a matter of principle, I am a free trader; perhaps I am one of the few, with the hon. member for Russell, who would vote for that principle to-day. But that is a question of opportunity, I say, and in 1893, after the Liberal party had voted in that great convention for the resolution that I myself moved we could not in 1896 put it into operation except by degrees. We maintained a revenue tariff, and it was a good thing for the country. We cannot have free trade in this country when we have next door to us the great United States with its high protective wall; so I repeat that this is a question of opportunity. The tariff may be good to-day and bad to-morrow; one thing may be necessary to-day and another thing to-morrow. When my hon. friend from De Lorimier asked my hon. friend from Halifax not to press his motion to a vote, he did very well, and his request should be acceded to. Naturally, this question of a protective tariff is very large and very difficult of application. A revenue tariff should yield just sufficient revenue for the needs of the country. A protective tariff practically protects only one class of men; but we know we must have revenue for this country, wherever we get it. It would be very nice to say, as a matter of principle, that we should have free trade, and it would be well if we could have it in operation, but free trade is not practicable.

Hon. Mr. DAVID—Not for a young country.

Hon. Mr. CHOQUETTE: Especially for a young country. So, though I am a free trader, I am willing to accept things as they are now. I do not want to be put on record as blaming the present Government, because the return compliment may be paid to the other party with a change of Government. It is not satisfactory to put on record a vote blaming the Government because it has not removed the duties on the necessaries of life; that is too large. If my hon. friend were making a motion asking that the tariff should be reduced on such and such articles, we would know where we are, for we would know if that could be done; but this motion is very large, and it is an elastic one. It forms a good basis for making speeches, but I do not think we should be asked to vote on it. I repeat it is dangerous; it would divide this House on party lines if a vote were taken, and it would look bad to the public, our threshing out questions here that ought to be dealt with only in the other House. Because we can do nothing on the question of the tariff here but make it the subject of an academic discussion. If my hon. friend proposed that there should be no tariff on sugar, or on flour, or on boots and shoes, or something like that, I would be ready to say we could vote on that, but we should not submit motions simply for the sake of making speeches on them, because before long there may be a change of Government. My hon. friend from Halifax has had his say; he has given it plainly to be understood that the duties ought to be taken away, and he ought to be satisfied with that.

Hon. Mr. POWER—If no other hon. gentleman wishes to address the House, I should like to say a very few words in conclusion.

Hon. Mr. McKAY (Cape Breton)—If the hon. member proposes to press this matter to a vote, I will have something to say. I feel very much towards this resolution, as my hon. friend from Grandville. If the hon. member does not propose to press it to a vote, I would not feel called upon to make any remarks. Does the hon. gentleman from Halifax intend to press the resolution to a vote?

Hon. Mr. POWER—That is my intention.

Hon. Mr. McKAY—The hon. gentleman does not propose to withdraw it?

Hon. Mr. POWER—No.

Hon. Mr. McKAY—Then I move the adjournment of the debate until Friday next.

The motion was agreed to.

The Senate adjourned until eleven o'clock to-morrow.

THE SENATE.

Thursday, June 4, 1914.

The SPEAKER took the Chair at Eleven o'clock.

Prayers and routine proceedings.

DOMINION LANDS.

MOTION.

Hon. Mr. LOUGHEED moved:

That the Orders in Council made by His Royal Highness the Governor General or His Excellency the Administrator in Council, under the provisions of The Dominion Lands Act, chapter 20 of the Statutes of 1908, numbered P. C. 2917, 3257, 3373, 243, 245, 351, 446, 592, 775, 1101 and 2587, copies of which were laid on the table of the Senate on the 2nd of June, 1914.

Also Orders in Council made under the provisions of The Dominion Forest Reserves and Parks Act, Chapter 10, 1-2 George V., numbered P. C. 981, 1803, 1943, 2028, 2349, and 2875, copies of which were laid on the table of the Senate on the 2nd of June, 1914.

Also Orders in Council made in accordance with the regulations for the Survey, administration, disposal and management of Dominion Lands within the railway belt in the province of British Columbia, numbered P. C. 234, 1384, and 2959, copies of which were laid on the table of the Senate on the 2nd of June, 1914, be now approved.

The motion was agreed to.

A QUESTION OF PRIVILEGE.

Hon. Mr. CLORAN—Before the Orders of the Day are called, I desire to make an explanation. Yesterday when I referred to the fact of the 65th regiment being prohibited from taking part in the Corpus Christi procession, I was advised by the Speaker to place a notice on the Order Paper so as to give me the power and the right to discuss and debate the question, and so bring it to the attention of the Senate. I felt in my bones that there would be no necessity to do so, as the Government were wise and prudent enough not to persist in the order given. I now have to congratulate the Government on having rescinded that order, and permitting the regiment to march in the procession, as in the past, without arms. I am glad that the order has been rescinded, because I know the 65th has done its duty in the past. It was on the firing line in the Riel rebellion, and has for one of its commanding officers the present Minister of Justice, and I knew it would not be fair to the 65th to prevent them doing what they have been doing for so many years.

INSPECTION AND BRANDING OF PICKLED FISH BILL.

THIRD READING.

The Order of the Day being called.

Bill (182) 'An Act to provide for the Inspection and Branding of Pickled Fish.—Hon. Mr. Lougheed.

Hon. Mr. LOUGHEED—I have to acknowledge the value of the suggestion made by the senior member for Halifax (Hon. Mr. Power) yesterday as to the effect of repealing part VII of the Inspection Act as far as it relates to this Bill. I have had occasion since to go into the matter with the department, and I move that the following be substituted for the last clause of the Bill:

Part VII of the Inspection and Sale Act, Revised Statutes of Canada 1906, Chapter 85, is hereby repealed, except in so far as it relates to the inspection of fish oil.

I have already pointed out to my hon. friend from Halifax (Hon. Mr. Power) that the greater part of part VII of the Inspection Act is practically inoperative, and it is desirable to repeal it in order to retain that portion of it affecting the inspection of fish oil.

Hon. Mr. POWER—I do not propose to raise any further difficulty about the passing of this Bill and I am very glad that it has been discovered that there was something in the previous Act which should not be repealed. My own feeling is that it would have been better to have made the repeal operate only as regards the fish coming under the operation of this Bill when it becomes law; but it is stated by the department, and I think truly, that the present inspection law is really not enforced at all, and is practically of no value. The department's feeling is that, if the present inspection law was allowed to remain in force as to certain fish, and the new Bill to have come into operation as to certain other fish, it might lead to confusion, and they feel it is better that there should be no inspection, except as to fish that will come under this

Bill when it becomes law; so I do not press that point.

The motion was agreed to, and the Bill as amended was read the third time and passed.

CANADIAN NORTHERN RAILWAY GUARANTEE BILL.

SECOND READING POSTPONED.

The Order of the Day being called:

Second Reading Bill (214) An Act respecting the Canadian Northern Railway System.—Hon. Mr. Lougheed.

Hon. Mr. KERR—With reference to this Bill, I do not think it has been printed. I have not received a copy of it. On inquiry I learn that it has not been printed as it was sent to this House. The House of Commons form of the Bill has been distributed but not the Bill as it came to us, and which we require before the discussion takes place.

Hon. Mr. LOUGHEED—Owing to the protracted character of the debate which has taken place in the Commons I would have thought the Senate anxious to proceed with the consideration of this Bill. However, I am prepared to let it stand for the distribution of the third reading form. While it may not be in exactly the form as it passed the Commons, nevertheless it is before us.

Hon. Mr. KERR—I am assured that there are amendments to the Bill which are not shown in the copies distributed. I cannot make a statement about that myself, because I have not been able to verify it.

Hon. Mr. LOUGHEED—We shall let it stand until this afternoon.

The Order of Day was discharged and the second reading was fixed for the next sitting of the House.

IMPORTATION OF THOROUGHBRED STOCK.

ORDER DISCHARGED.

The Order of the Day being called:

Resuming the adjourned Debate on the inquiry of the Hon. Mr. Casgrain:—

That he will call the attention of the Government to some unsatisfactory features regarding the regulations for the importation, duty free, of thoroughbred mares and stallions, and will inquire whether it is the intention of the Government to remedy these conditions should they exist.

Hon. Mr. DOUGLAS—It is only prudent that we should drop this discussion. The matter was gone into thoroughly, the desire of the House was carried out through the committee that was appointed, and a great deal of information was elicited. There is no need for a report because the complaint of our friend on this side of the House did not amount to anything: it was shown that the whole system was thoroughly established and everything is kept in the best order, and we feel that we are in the forefront of nations in our national system of stock registration. Therefore, I do not wish to say anything more than that the work proposed was carried out, although it was very difficult to secure meetings of the committee. However, the statistics, and the results of our work have already appeared in the records and before the country generally. I would therefore move that the order be discharged.

Hon. Mr. YOUNG—Would it not have been better if the committee had made some sort of a report and given the result of their findings?

Hon. Mr. BEIQUE—A meeting is going to be held, and I propose to suggest that the committee make a report.

Hon. Mr. YOUNG—It is the plain duty of the committee to make a report under the circumstances. There was a cloud thrown on the administration in regard to thoroughbred stock which, maybe, is not deserved.

Hon. Mr. POWER—There is another thing. I happen to have the honour of being a member of the committee to which this question was referred, and when appointed on the committee I was under the impression that the present system was above criticism. In listening to what was said at the committee meetings I have come to a somewhat different conclusion. The present system has a great many good points, but unless I am under a misapprehension, there is no provision under the present system by which a thoroughbred animal, which has been registered in England, can be admitted to registration in Canada without paying duty or without unreasonable delay; that is a point of very considerable moment. I am not going to discuss the matter any further than to say that in my opinion the committee should make a report.

The motion was agreed to.

BILL INTRODUCED.

Bill (223), An Act to amend Part X of the Canada Shipping Act.—Hon. Mr. Lougheed.

FIRST AND SECOND READINGS:

Bill (41), An Act respecting the Canadian Northern Railway Company.—Hon. Mr. Watson.

Bill (63), An Act respecting the Canadian Northern Ontario Railway Company.—Hon. Mr. Watson.

COMPANIES' ACT AMENDMENT BILL.

ORDER POSTPONED.

A message was received from the House of Commons notifying the Senate that the House disagrees to the amendment made by the Senate to Bill (177), An Act to amend the Companies Act.

Hon. Mr. CLORAN—The Banking and Commerce Committee do not know their business.

Hon. Mr. LOUGHEED—I move that this be taken into consideration this afternoon. If I properly understand the matter, a clause has been agreed upon which will be accepted in substitution of the clause which was introduced in the Senate. It was therefore proposed that the Bill should be further amended, that we should accept the message of the Commons and which I thought would have included the other amendments which have been agreed upon.

Hon. Mr. BEIQUE—There is a misapprehension. The Commons should send the substituted amendment.

Hon. Mr. CLORAN—They simply reject our amendment.

Hon. Mr. BEIQUE—A clause has been agreed on to be substituted for the one which they dropped.

Hon. Mr. CLORAN—Where is that clause?

Hon. Mr. BEIQUE—We cannot insert the clause now. It should have been sent to us by the Commons as a substituted clause.

Hon. Mr. LOUGHEED—The better solution should be to allow the Bill to come up for consideration this afternoon, and in the meantime inquiry could be made into the whole subject.

The SPEAKER—When that Bill was sent to the Commons the substituted clause formed part of the Bill.

Hon. Mr. LOUGHEED—Not yet, but it will.

Hon. Mr. DANDURAND—There was a clause which was eliminated from the Bill, and the Bill was sent back to the Commons. The Commons now declare that they cannot agree to our amendment, because that clause should be in the Bill. Now that we are seized of the dissent of the Commons, which claims that this clause should be incorporated, at first sight it strikes me that we can substitute an amendment clause for the one which has been struck out.

Hon. Mr. YOUNG—No.

Hon. Mr. DANDURAND—Perhaps I am wrong, but would it not be easier to do it by consent to the two Chambers than to go to the cumbersome procedure of a conference?

Hon. Mr. BEIQUE—We could go on in that way, substituting clause after clause. It is for the Commons to suggest the clause which would take the place of the clause which was struck out from the Bill.

Hon. Mr. LOUGHEED—Not necessarily.

Hon. Mr. CLORAN—Sometimes hon. gentlemen make things as clear as mud. The Bill came from the Commons. The Senate in its wisdom through the Banking and Commerce Committee amended it by striking out the clause, and that was the amendment. The Bill was sent back to the Commons with that clause struck out. The House of Commons, on reconsideration, simply tells the Senate it did not know what is was doing, and that the clause as it stood in the original Bill should remain, because striking it out nullified the previous clause of the Bill. The Commons has not submitted a clause; it did not need to. The original clause was satisfactory to the House of Commons. Now we are told we have to substitute a clause. Who are we? Where is that clause? Has it been passed upon by the House of Commons? Has it been submitted to the committee? Is it before the House of Commons in regular order? One or two senators have stated that we have a substituted clause. We want no hole and corner legislation of that kind. The House of Commons sent a message to the Senate saying that the amendment, whereby the clause in the Bill was struck out, was rejected, and the Bill will remain as originally presented to the Senate, yet one or two senators say we have a substituted clause. I would like to know by what authority they make that statement?

Hon. Mr. YOUNG—It strikes me, subject to correction, that we have exhausted our legislative powers so far as that Bill is concerned, excepting in one regard. The Bill passed through the House of Com-

mons, was sent to the Senate, and sent back to the Commons, asking them to accept our amendments, which they refused to do. The next step is that the matter may be continued only by conference between the two Houses, and at that conference the difficulty which the hon. member from De Salaberry (Hon. Mr. Beique) suggested—of amendment after amendment being made—would disappear, and the Bill would come back to this House with an amendment clause which might be accepted. We have exhausted our procedure in regard to amendments, excepting through a conference.

Hon. Mr. CLORAN—That is the only constitutional way.

Hon. Mr. YOUNG—The hon. gentleman from Victoria division (Hon. Mr. Cloran) and myself stick by the constitution.

Hon. Mr. POWER—The hon. gentleman from Killarney (Hon. Mr. Young) has indicated, on the whole, the correct line. Under our rules and under British practice conferences have gone out of fashion, and whatever could be done by a conference in former times is now done by message. The better way is for the leader of the Government to arrange for a message to be sent back to the Commons with respect to this Bill, indicating what the Senate are prepared to do; if the Commons accept our proposition, that is the end of it.

The motion was agreed to.

CANADA SHIPPING ACT AMENDMENT BILL.

IN COMMITTEE.

Hon. Mr. LOUGHEED—With the leave of the House, I should like to return to item No. 2 of the Orders of the Day.

'House again in Committee of the Whole on Bill (168) An Act to amend part VI of the Canada Shipping Act.'

My hon. friend from Grandville (Hon. Mr. Choquette) is satisfied that we should adopt the Bill. I can give the hon. gentleman the assurance for which he has asked, that the sentences of the two pilots in question shall stand suspended pending an appeal.

Hon. Mr. CHOQUETTE—I am satisfied.

The House resumed in Committee of the Whole consideration of the Bill.

(In the Committee.)

Hon. Mr. LOUGHEED—I understand my hon. friend desires to withdraw his amendment.

Hon. Mr. CHOQUETTE—There is always some satisfaction, when a man has a right to a whole loaf of bread, to be offered a half loaf for the present, and a promise of the other half in the future. I am in that position. I claim a right, and my hon. friend said, in discussing the matter, that he acknowledged my right, but there was some little matter to settle and he offered half of what I claimed, and promised that I should get the other half very soon. One must be reasonable, and under the circumstances I am satisfied with what is offered, and ask leave to withdraw my amendment for the present in view of what has been promised, and the good will shown by the Government. While I am on my feet, however, I wish to say a few words about the St. Lawrence pilots. I shall not refer to the matter which came up in Montreal recently, because it is now pending, with every indication that it will be settled impartially. Something has been said, however, against the pilots of Quebec and I wish to answer—I will not say accusations—but some remarks which were injurious not only to the pilots themselves, but to the navigation of the St. Lawrence which is practically controlled by the pilots from Montreal to Father Point. My hon. friend from Amherst (Hon. Mr. Curry) said something which I am sure was not intended to be offensive—a remark that the pilots did not trust to the compass, but were lead by the bark of a dog on the shore. That remark ought to be withdrawn: it was uncalled for. No sane man will for a moment believe that such a statement is true, but the fact of a member of the position and standing of the hon. gentleman from Amherst saying such a thing in the Senate, is calculated to do an injury to the pilots and to the navigation of the St. Lawrence river. It might have had a very serious affect if this terrible accident, which we all deplore, had happened when a pilot was on board the ship. Fortunately for the pilots, the accident happened after the pilot had left the vessel. The pilots as a whole are first class men in education and intelligence, as well as physically, morally and mentally. There are very few classes of men, that on the whole, can be compared to them. They are all French Canadians, not for the reason given by the hon. member from De Lanaudière (Hon. Mr. Casgrain) that there was not enough money in the occupation to tempt others, but for another reason. These men earn now, during seven months of the year, between $1,800 and $3,000 a year, and the pilots are all French Canadians for this

reason: years ago about one-sixth of the pilots were English and Scotch. There was a close corporation. By the law there cannot be more than 125 pilots. About ten years ago they had to divide the funds they received for the summer, among 125, and some of them did not earn enough to maintain their families and had to quit. The French Canadians lived in a modest though comfortable way and had their homes on the shores of the St. Lawrence and remained in the corporation, living on the thousand or eleven hundred dollars a year that they received. The Scotch and English thought they could do better and dropped out, and now there are only some sixty-two pilots, and instead of the summer's earnings being divided amongst 125 pilots they are divided amongst these sixty-two, so that their income is about double. Nobody on the outside has sought to enter the occupation for this reason, the Government of late has been holding back with the idea of dissolving the corporation, and the Bill before the House is designed to accomplish that result. They are taking some powers from that corporation and they have been asked to lay a memorandum on record in order that their views may be known to the Government, so without objecting very much to the Bill, I have the objections here, and instead of reading them to the House,—if the House will allow me to take them as read,—I shall put them on record. The memorandum contains very sensible propositions in reference to the collection of dues, and the payment of pilots, but these will be on record in the Senate Debates, and, if hon. gentlemen will read them, it will save the time of the House, in going over them.

Hon. Mr. POWER—I should like to help my hon. friend out, but if he wishes to have anything communicated to the House he had better read it himself, for the Senate has never allowed members to put matters on the Hansard.

Hon. Mr. LANDRY (Speaker)—It is opposed.

Hon. Mr. CHOQUETTE—I do not know why. Very often it would be better to put things in writing, and so on record.

Hon. Mr. McKAY (Cape Breton)—Read them.

Hon. Mr. CHOQUETTE—Very well, this is a memorandum which has been sent to me by the Pilots' Corporation. I am very pleased to put it before this House:

Objections of the Corporation of Pilots to the system of collection of pilotage dues proposed in Bill 168.

1. The present system for the collection of pilotage dues, gives satisfaction to the maritime companies, for almost all of them have special conditions of payment, and these conditions have nearly all been established at the request of the interested companies.

Thus, several of them, on the ground of excess of work on the day of the sailing of the ship, prefer to pay, or agree to pay after the ship has sailed, others settle twice a month, as the Allan Company, the Canadian Pacific, the Dominion Coal, Messrs. McLean, Kennedy & Co. Other companies settled their bills almost immediately after the pilots have returned and made their report on the draught of the vessels, among others, Mr. W. Macpherson, representing several companies, the White Star, Hamburg-American, Manchester line, &c., as well as the Robert Reford Co., the Canadian Northern, etc.

This system is working very well, and both the companies and the pilots are satisfied with it. There remain the vessels known by sailors as 'tramps' which pay to the collectors of the different ports where they take their cargo, and which have no agents or representatives.

2. The collection made by the Marine Department or its representatives shall certainly not give satisfaction neither to the shipping nor to the pilots, for the following reasons: With this system, the companies or the agents will be compelled to pay the pilotage dues when taking their permit to sail, and of this they formerly complained. With this system, the pilots might suffer loss by delays in the remission of the moneys collected by the agents of the department and the secretary treasurer prevented from regularly declaring dividends on the first day of each month.

In support of this statement, I may be allowed to mention the case of the Canadian Government steamer Earl Grey for pilotage in June and July, 1913, the accounts for which were sent to the department on the 25th July, 1913, and are still unpaid.

Another example; The ss. Nancy Lee, pilotage in the Saguenay river, in December, 1913, dues for which were remitted to our office, by the customs collector at Chicoutimi on the 4th May, instant.

3. This system will cause loss of money to the pilots, in the following manner: Some years ago, when pilotage dues were mostly collected by the customs collectors, there were often pretty considerable differences on the draught of ships given at the customs office and on board ship, on the card which the pilots must sign and deliver at the office, said card serving as basis in the computation and collection of pilotage dues. This will bring us back to the old custom of claims for those differences of 4, 5, 6 inches and sometimes one or two feet which was a source of annoyance, both for the companies and for the pilots' office. To-day, claims made after the departure of ships are very rare.

Further loss of money to the pilots, who benefited by the interest on the moneys collected by the office, for these moneys were deposited as they were collected, and the pilots received from the bank the regular interest granted to depositors.

4. The pilots do not see why the Honourable the Minister of Marine, should deprive them of

the power to collect pilotage dues, and compel them to be subjected to the above-mentioned annoyances and losses, which will certainly occur almost daily.

5. The companies, with the present system, pay no more and no less, we simply charge them the legal tariff.

The pilots hope that this restriction of power inserted in Bill No. 168 shall be struck out, and the system followed up to date continued, in conformity with their charter.

Moreover, we venture to affirm that the pilots have sufficient intelligence to continue to collect their hard earned fees, and that it is not necessary that the result of their labours be subjected to this useless circuitous way through the hands of officials.

6. The collection of pilotage dues by the agents of the department shall be a source of annoyance; captains of ships shall be obliged to sign three pilotage blank forms: one for the agent representing the owners of the ship, one for the agent of the department charged with the collection of pilotage dues, and another for the Pilots' Office, in order to enable the treasurer of the pilots to verify the correctness of the moneys handed over to him by the representative of the Department of Marine, thus adding greatly, as may readily be seen, to the annoyance of the situation, and in no way removing any of the dangers of the St. Lawrence route.

These are reasonable arguments which I trust the Government will look into before having that Bill passed. Now, I wish to refer for just a moment to a telegram sent to every member of this House by Mr. Allan, president of the Shipping Federation of Canada, which was read and put on record by the hon. member from Leeds. This telegram was sent, I suppose, to prove that there is no use for a wrecking commissioner or anybody else understanding both English and French, because 90 per cent of those employed are English speaking. But the same telegram proves also that it is absolutely necessary that the wreck commissioner and superintendent of pilots should understand both languages for the very reason given by Mr. Allan, if it was correct, that the pilots could not pass a satisfactory examination in English. I do not think it is true, because generally speaking the pilots can understand both languages so as to receive orders from the captain or crew, or give orders to the captain or crew; but Mr. Allan makes this statement, which shows that it was absolutely necessary that my amendment, or the context of it, should be adopted by the Government, which have promised that justice shall be done. Having said so much, under the circumstances I am willing to withdraw the amendment, having faith that the intentions of the Government will be carried out before long, and that this amendment will be put on record on the statutes, not only relating to the post office and pilotage question, but in regard to the public service generally in this country. It is up to every man who wishes to get a situation in the Government and to take money from both nationalities to learn both languages; it is only fair that men who wish to earn the money from the French and English should be able to serve the French and English speaking people all over the country, in answering their letters. In the interests of the business of the country, in the interests of the empire, it would be better, in view of the fact that both French and English are offiicial languages, that everybody in this country should speak both languages. I do not plead only for the French; I would claim the very same thing for the English. I advocate that everybody, my own compatriots and my own children, should learn English, in order to be able to converse in every part of the Dominion. A man who cannot understand both languages in this country it not an educated man, and is not fit to occupy a position in Canada, because in England every educated man speaks French, and he would be ashamed of himself if he could not do so. In France, every educated man is able to speak English. In London the people boast of being able to converse in both languages, Under the circumstances, I withdraw the amendment.

The amendment was withdrawn.

Hon. Mr. BAIRD, from the Committee, reported the Bill without amendment.

The Senate adjourned until three o'clock this afternoon.

SECOND SITTING.

The SPEAKER took the Chair at Three o'clock.

Routine proceedings.

CANADIAN NORTHERN RAILWAY GUARANTEE BILL.

INQUIRIES.

Hon. Mr. POWER inquired of the Government:

(1) If the current indebtedness mentioned in section (F) of clause 5, of Bill 214, 'An Act respecting The Canadian Northern Railway System,' is the same as the amount of $10,408,128.30 mentioned on page 43 of the printed documents relative to the Government guarantee

as floating liabilities of the Canadian Northern Railway System, if not how much are they?

(2) Does the amount of $10,408,128.30 represent all the floating liabilities to date?

Hon. Mr. LOUGHEED—The replies are:

1. Yes.

2. Yes—as of 31st December, 1913, and exclusive of construction.

Hon. Mr. POWER inquired of the Government:

(1) Why are the covenants and undertakings referred to in section (F) of clause 5 of Bill 214, 'An Act respecting The Canadian Northern Railway System,' to be demanded from Mackenzie and Mann Company, Limited, and them alone, in contrary distinction to the covenants and undertakings which are provided for in section (E) of clause 5 of said Bill?

(2) Can the Government state by whom the covenants and undertakings referred to in section (E) of clause 5 will be given?

Hon. Mr. LOUGHEED—The answers are as follows:

1. The section does not say that the covenants and undertakings are to be demanded from Mackenzie, Mann & Co., Limited, alone, nor does section (E) of clause 5 necessarily imply that Mackenzie, Mann & Co., Limited, will not be called upon to give the covenants and undertakings therein referred to.

2. No. The subject will be considered in due course.

Hon. Mr. THOMPSON inquired:

(1) What is the amount of the outstanding temporary loans mentioned in section (E) of clause 5 of Bill 214, 'An Act respecting The Canadian Northern Railway System.'

(2) What are the names of the companies and persons to whom these loans are due, and the amount in each case?

Hon. Mr. LOUGHEED—The answers are:

1. $20,703,865.

2. Sundry bankers. The Government does not think it desirable that the names of those bankers or individuals should be given. It might affect their credit if it were known that they were carrying liabilities of this character.

Hon. Mr. BEIQUE inquired:

As to the reason why in clause 14 of Bill 214, 'An Act respecting The Canadian Northern Railway System,' the Governor in Council does not take power to prescribe the conditions as to the issue and disposition of the shares and proceeds thereof referred to in the said clause.

Hon. Mr. LOUGHEED—Unless the condition as to the issue and disposition were satisfactory it is to be presumed the Governor in Council would not give the necessary approval.

Hon. Mr. DANDURAND inquired:

Why the names of Sir William Mackenzie and Sir Donald Mann have not been included in the term 'Contractors' in section 2, line 10, on page 2 of Bill 214, 'An Act respecting The Canadian Northern Railway System,' the same as they are in the agreement in the 3rd schedule of the said Bill as the parties of the fourth part.

Hon. Mr. LOUGHEED—Sir William Mackenzie and Sir Donald Mann were included in the term 'contractors' as used in the agreement for the purpose of securing a release on their part of any claim to contractors' profits, etc., as set out in such agreement. There was no similar object and no sufficient object to be served by including them in the definition of 'contractors' in the Bill itself.

Hon. Mr. KERR inquired:

As to the reason why in clause 2, of the 3rd schedule to Bill 214, 'An Act respecting The Canadian Northern Railway System,' the covenant to be given by the contractors jointly and severally is not made to include the executors, administrators and assignes of them respectively.

Hon. Mr. LOUGHEED—It was not considered necessary. They are bound anyway.

Hon. Mr. DAVID inquired:

Why has the power of foreclosure by the Governor in Council provided for in clause 24 of Bill 214, 'An Act respecting The Canadian Northern Railway System,' been made subject to the authorization of Parliament instead of providing that the Governor in Council may act when any event of default shall exist.

Hon. Mr. LOUGHEED—It was not deemed advisable to in any way bind the action of a future Parliament in a matter of such consequence.

Hon. Mr. BOSTOCK inquired:

As to the reason why copies of all the trust deeds securing mortgages and other charges to which the constituent or subsidiary companies mentioned in the 3rd schedule to Bill 214, 'An Act respecting The Canadian Northern Railway System,' are already parties, have not been included in the papers brought down to this House.

Hon. Mr. LOUGHEED—Any trust deeds bearing on the security or the Bill or any particulars regarding such trust deeds will, if asked for, be brought down as rapidly as possible.

CANADA SHIPPING ACT AMENDMENT BILL.

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of Bill (168), An Act to amend Part VI of the Canada Shipping Act.

Hon. Mr. CHOQUETTE—I ask the leader of the House to call the attention of the Government to the memorandum I presented this morning from the pilots of the St. Lawrence. There is something very practical in that in the interests of the tariff litigation.

Hon. Mr. LOUGHEED—Notwithstanding the interest one might take in the subject as presented to my hon. friend, it would be out of the question at this late hour of the session to give such consideration to it, as to suggest any amendment to the Bill. The Bill has received a great deal of consideration from all parties interested, and I think it is particularly in the shipping interests of Quebec that the Bill should be passed.

Hon. Mr. ROCHE—It may be too late to make any amendment in the present Bill, but I desire to call the attention of the Government to a certain question. The late accident on the St Lawrence has shown the difficulty of steamships launching their boats. I suggest that the hon. leader of the Senate take upon himself to consult the officers of the Marine Department as to the propriety of what I now indicate. We all know that there is on large steamships, on liners particularly, what is called a boat drill.

Hon. Mr. LOUGHEED—There is a Bill before Parliament at the present moment in which the Government asks authority to appoint a commission to inquire into the late calamity which took place on the St. Lawrence, and I would suggest that any remarks my hon. friend has to make along the line he has indicated would be very appropriate in the discussion on that Bill.

Hon. Mr. ROCHE—My remarks will be brief, and I ask that the Government call the attention of the officers of the Marine Department to the matter, so that they may consider whether what I say is desirable or not. On the large liners they have a boat drill, the boats are swung out at sea, I believe, every day and the crew apportioned to each boat directed to their station. The steamships then are upright, but when catastrophes occur they are frequently on their side, and one-half the boats cannot be launched, and consequently the crews and passengers cannot be directed to the right boat. I would suggest that the officers of the Marine Department should have regulations demanding each steamer on arrival in a port in Canada that the boats shall be launched and put in the water, that arrangements should be made for the launching of them and conveying them down to the water. I call attention to the fact that on these steamers the wooden boats are never put into the water, but are dried out in the sun. They are frequently very leaky; in fact, I have known cases where they have not been in the water for three years, and were only kept together by paint. Now the hon. gentleman will see at once that if boats are lowered in that condition, especially when people may be maimed or injured, they are not in a condition to surmount the difficulties of the winds and waves, because of having to keep perpetually baling these boats, and that is the reason there are so many casualties and why so many die after they have reached the boats. They are worn out with the labour of keeping the water out of those boats, that are not kept in good condition. There is no use in having boats if they are not in the condition to save people. It would be well worth while for my hon. friend to take upon himself to look into that matter.

CANADIAN NORTHERN RAILWAY GUARANTEE BILL.

SECOND READING POSTPONED.

The Order of the Day being called:

Second reading Bill (214) 'An Act respecting the Canadian Northern Railway System.'—(Hon. Mr. Lougheed.)

Hon. Mr. BOSTOCK—I do not want to appear to be standing in the way too much in this matter, but I understand this Bill has not yet been distributed to the House; inasmuch as there was an amendment made just before the third reading in the other House which we have not yet seen, it would be desirable that we should have the Bill before us before we proceed.

Hon. Mr. LOUGHEED moved, seconded by Hon. Mr. Bostock, that the Order of the Day be discharged and put on the Order Paper for to-morrow.

Some hon. GENTLEMEN—Six months.

Hon. Mr. LOUGHEED—I can assure the House that I shall have the Bill distributed by to-night; we might sit to-night. I shall proceed with the second reading of the Bill now making what remarks I have to make and then my hon. friend might ask

for the adjournment; we would be that much ahead.

Hon. Mr. YOUNG—There is no separate sitting to-night.

The SPEAKER—There is no sitting to-night, except the House adjourns during pleasure and comes back at eight o'clock.

Hon. Mr. CLORAN—We will not do that.

The SPEAKER—And in that case we would have to let the matter stand; there would be no motion until to-morrow, for we cannot make a motion to-night.

Hon. Mr. LOUGHEED—First sitting to-morrow, then.

The motion was agreed to.

The Senate adjourned until to-morrow at eleven o'clock a.m.

THE SENATE.

Friday, June 5, 1914.

The SPEAKER took the Chair at Eleven o'clock, a.m.

Prayers and routine proceedings.

THE CANADIAN NORTHERN RAILWAY GUARANTEE BILL.

INQUIRY.

Hon. Mr. BEIQUE inquired:

Is any part of the proceeds of the guaranteed securities mentioned in Bill 214, intituled: 'An Act respecting the Canadian Northern Railway System' intended to be applied to the payment of debts owing to Sir William Mackenzie and Sir Donald Mann, or to either of them, or to the Mackenzie, Mann Co., Limited, or to the Northern Construction Co., Limited, or to the payment of liabilities for which the said Sir William Mackenzie and Sir Donald Mann, or either of them, or either of said companies are directly or indirectly responsible, and if so, what is the amount in each case and the nature and amount of the securities, if any, given by the said Sir William Mackenzie and Sir Donald Mann, or by either of said companies, as security for the payment of such liabilities?

Hon. Mr. LOUGHEED—There is $21,262,527 owing by the Canadian Northern Railway system on account of construction to Mackenzie, Mann and Company, Limited, who in turn owe this amount to bankers, contractors and others as set out on page 42 of the printed documents. Nothing is owing to Sir William Mackenzie or Sir Donald Mann personally, but amounts are owing by Mackenzie, Mann and Company, Ltd., to the Northern Construction Company, Ltd., on account of work done on construction. The payment of the above liability of the Canadian Northern Railway system will be made out of the $100,379,099, as set out on page 15 of the printed documents, of which the proceeds from the $45,000,000 securities to be guaranteed by the Dominion Government will form a part.

COMPANIES' ACT AMENDMENT BILL.

FURTHER AMENDMENT.

The Order of the Day being called:

Consideration of the message from the House of Commons disagreeing to the amendment made by the Senate to Bill 177, intituled: 'An Act to amend the Companies Act.'

Hon. Mr. LOUGHEED—This matter was taken up with some of the officers in the Commons yesterday and it was thought that we might solve the difficulty. I first shall move that this House does not insist upon this amendment. Upon that motion being adopted, I then propose to move that certain amendments be made to the Bill, reciting in the motion the amendments which it is proposed to make. The authority for this will be found in May's Parliamentary Practice, page 506:

Sometimes one House does not insist upon its amendments, or makes other amendments.

Under that authority I move that this House does not insist upon its amendment.

Hon. Mr. POWER—Before we recede from our amendment we ought to know what we are to get in place of it.

Hon. Mr. LOUGHEED—The object is to dispense with the provisions of the clause which we had under consideration, in which it was made retroactive, so that it gives us the clause without being retroactive. Then there is another amendment in the Bill which I promised the House would be made in the Companies Act to meet the peculiar requirements arising out of trust companies incorporated under letters patent. These amendments have been agreed upon by the hon. members from De Salaberry (Hon. Mr. Beique) and De Lorimier (Hon. Mr. Dandurand).

Hon. Mr. BEIQUE—When I moved to amend subclause 4, I took the ground that my amendment was directed against the fact that that subsection of the Bill was to have a retroactive effect. I said I had no objection to the section being passed, if it were amended in such a way as to save either acquired rights, or to prevent it from having a retroactive effect, which amounts to the same thing. The hon. leader of the

Government was not ready to accept my suggestion at the time, and preferred to drop the subclause entirely. The suggestion which is made, and which is intended to be embodied in the motion to follow the one now before the House, is intended to carry out the suggestion which I then made, that we pass subclause 4 but without giving it any retroactive effect. To this I have no objection, but I call attention to the fact that the mode which we are asked to follow is not the proper mode to be adopted. We are asked to declare that we do not insist upon our amendment to subclause 4, and then we are going to ask that something be substituted for it, and the Bill will be sent to the House of Commons, which will have liberty to accept or not accept the suggestions we make. Therefore, if they should not accept the second motion which is to be made, what will be the result? It will be that clause 4, which we find is objectionable, will stand in the Bill with its retroactive effect. For that reason, as I suggested yesterday, the proper course is for the Commons to send a message to this hon. House suggesting that the amendment to subclause 4 be inserted in the Bill instead of clause 4, as it was originally in the Bill. Hon. gentlemen will see the difference. Of course, as far as this Bill is concerned, I am perfectly satisfied to take the assurance of the hon. leader of the Government that he will see that both motions are given effect to in the House of Commons.

Hon. Mr. LOUGHEED—There is an understanding that this be done, and it will be done.

Hon. Mr. DANDURAND—I was called out when the hon. gentleman gave his explanations on the suggested amendment now before this House. I understand the hon. gentleman has explained the reasons for the amendment to the Companies' Act permitting the issue of supplementary letters patent and restoring the powers of companies.

Hon. Mr. LOUGHEED—No, I did not enter upon it at any length; I simply stated that it was to cure that difficulty by reason of the passing of the Trust Companies' Bill.

Hon. Mr. DANDURAND—What is proposed in the motion now before the House?

The SPEAKER—The motion before the House is that the House does not insist upon its amendment, and this will be followed by another motion.

The motion was agreed to.

Hon. Mr. BEIQUE.

Hon. Mr. LOUGHEED—I now move that the following amendments be made to Bill 177:

1. Page 3, line 7. Leave out from 'where' to the end of the line.
2. Page 3, lines 14 and 15. Leave out from 'power' to 'to keep.'
3. Page 3, lines 17 and 18. Leave out from the second 'power' to 're-issue' in line 18.
4. Page 3, lines 21 and 22. Leave out from 'have' to 'the same' in line 22.
5. Page 4. Add the following clause at the end of the Bill:

4. Section 34 of the said Act is repealed, and the following is substituted therefor:

34. The company may, from time to time, by a resolution passed by the votes of shareholders representing at least two-thirds in value of the subscribed stock of the company, at a special general meeting called for the purpose, authorize the directors to apply for supplementary letters patent, extending the powers of the company to such further or other purposes or objects for which a company may be incorporated under this part, or reducing, limiting, amending or varying such powers, or any provisions of the letters patent or supplementary letters patent issued to the company, as are defined in such resolution.

and that a message be sent to the House of Commons to acquaint that House accordingly.

Hon. Mr. BEIQUE—I understand that these two motions will be transmitted by a message.

Hon. Mr. POWER—No, they should not be; it should be one message; that is an important point. We can say to the Commons, 'We do not insist upon our original amendment, but we are willing to accept the amendment which we now submit, and which we send to the Commons'; and it is all one message, of course.

Hon. Mr. BEIQUE—Otherwise there would be two motions, and the first motion would exhaust our power. When we declare by one motion that we do not insist upon our amendment the Bill is complete, and we cannot touch it any more; therefore, it must be by the same motion.

Hon. Mr. LOUGHEED—I shall add that to my motion—that the two be embodied in the one message.

Hon. Mr. POWER—This is a domestic transaction, and not a treaty or transaction between the two Houses. First, in order to clear the ground, the hon. leader of the Government gets rid of our original amendment, and then he moves that we are willing to substitute this other amendment; but we do not communicate these two transactions to the Commons. We simply tell them that

we do not insist upon our original amendment, but are prepared to accept the other one. That is the only message that should go.

The SPEAKER—Yes, but the point made by the hon. member is this: that if you pass the first motion you have exhausted your power.

Hon. Mr. POWER—No, we have not.

The SPEAKER—That is the objection.

Hon. Mr. DANDURAND—You have, if you pass it unconditionally.

The SPEAKER—If we pass it conditionally, we send the condition attached.

Hon. Mr. DANDURAND—Yes; that is why there should be one message.

Hon. Mr. BEIQUE—And one motion.

Hon. Mr. LOUGHEED—There should be one motion.

The SPEAKER—With the permission of the House, the motion of the Hon. Mr. Lougheed is that this House does not insist on its amendment, but withdraws it, and substitutes the following:

1. Page 3, line 7. Leave out from 'where' to the end of the line.
2. Page 3, lines 14 and 15. Leave out from 'power' to 'to keep.'
3. Page 3, lines 17 and 18. Leave out from the second 'power' to 're-issue' in line 18.
4. Page 3, lines 21 and 22. Leave out from 'have' to 'the same' in line 22.
5. Page 4. Add the following clause at the end of the Bill:

4. Section 34 of the said Act is repealed, and the following is substitued therefor:

34. The company may, from time to time, by a resolution passed by the votes of shareholders representing at least two-thirds in value of the subscribed stock of the company, at a special general meeting called for the purpose, authorize the directors to apply for supplementary letters patent, extending the powers of the company to such further or other purposes or objects for which a company may be incorporated under this part, or reducing, limiting, amending or varying such powers, or any provisions of the letters patent or supplementary letters patent issued to the company, as are defined in such resolution.

Hon. Mr. DANDURAND—In order that something may remain on the record explaining why this last amendment is made, allowing the Secretary of State to issue supplementary letters patent restricting the powers of a company which has already obtained a charter from that department, I would like to state that the Trust Company Act restricts the power of a number of companies which have already been granted charters under the Companies' Act. In order to continue their operations and to choose what powers they shall exercise in future, they require supplementary letters patent; but this Companies' Act only allows supplementary letters patent to extend the powers and not to restrict them. Under the new condition which will prevail after the passing of the Trust Companies' Act, in the case of a certain number of these companies letters patent may be required for the restriction of their powers. The Government is asking the amendment of the Companies' Act in order to allow the Secretary of State to restrict those powers. It is but just that it should be done, in order to hamper as little as possible the companies which obtained larger powers than those they will be able to exercise under the Trust Companies' Act. It is due to them that this facility should be granted them. Further it is due to them that this should be granted them without any further fee being asked of them, inasmuch as they have been granted powers which Parliament is now restricting. This, I suppose, is the view held by the leader of the Government and the Secretary of State.

Hon. Mr. LOUGHEED—Yes. I might say the deputy minister of the department and the Under Secretary of State informs me that these were regulated by Order in Council, and that they would take the necessary steps to see that the fees were either remitted in such cases, or no charge was made for the imposition of the fees.

Hon. Mr. BEIQUE—I quite agree with what has been said by the hon. gentleman from De Lorimier (Hon. Mr. Dandurand), but unless the Trust Companies' Act, which has been passed by this House, is amended in such a way that it will not come into force on the day of its sanction, and in such a way as to give time to the Secretary of State to act upon the amendment which we are now going to pass, the Secretary of State will not be able to come to the relief of the companies, which my hon. friend has in mind, because subsection VII of section 66 says:

The provisions of this section shall, on and after the first day of January, 1917, apply to all trust companies hereafter incorporated under the Companies' Act, or by special Act of the Parliament of Canada.

So that when the Bill is sanctioned, unless it is stated that the Act shall not come into force until such a time, it will have been decreed by Parliament that all those companies that have

been incorporated shall, after the first day of January of 1917, fall under the operation of the Act, and therefore the Secretary of State will have no authority whatever to change their letters patent

Hon. Mr. DANDURAND—This is a technical point on which there may or may not be a difference of opinion, but I hope it can be cured by delaying the sanction of the Trust Companies' Act which is presently before the other House; even if it were not, I do not suppose the Minister of Finance would force the companies which fall under the Trust Companies' Act, and which within a certain period will have to drop their right to do any trust company work, to conform to the provisions of this Trust Act.

Hon. Mr. BEIQUE—It is not that. It is much more serious than that. It affects their power to invest their funds, and if they make any investment contrary to the Trust Companies' Act, then those investments are not worth anything. The Minister of Finance or Secretary of State has no right to disregard any Act of Parliament.

Hon. Mr. DANDURAND—Yes, but I fail to see how they can be treated as falling under the Trust Companies' Act, once they have shorn themselves of all the powers of a trust company.

Hon. Mr. BEIQUE—No, because they will have no power to sheer themselves of the provision that brings them under that Act.

The motion was agreed to.

BILLS INTRODUCED.

Bill (221), An Act to amend the Montreal Harbour Commissioners' Act, 1914.—Hon. Mr. Lougheed.

Bill (173), An Act respecting British Nationality, Naturalization and Aliens.—Hon. Mr. Lougheed.

CANADIAN NORTHERN RAILWAY GUARANTEE BILL.

SECOND READING POSTPONED.

The Order of the Day being called:

Second reading of Bill (214) 'An Act respecting the Canadian Northern Railway System.'—Hon. Mr. Lougheed.

Hon. Mr. LOUGHEED—This is a Bill to authorize the Government of Canada to aid the construction, completion, equipment and betterment of the Canadian Northern Railway system by guaranteeing the payment of bonds, debentures, debenture stocks and other securities of the Canadian Northern to an amount not exceeding $45,000,000 on securities to be issued at the rate of 4 per cent per annum, payable half-yearly, the principal to be paid on a day not later than a day in the year 1934.

In view of the assistance either by guarantees, subsidies, or land grants, not only by the Government of Canada, but by most of the provinces of Canada to this company in the construction of its system, it may possibly be of interest for the information of the House to sketch as briefly as possible the legislative origin and growth of this transcontinental system, thus affording some explanation of the committments that have been made by the federal and provincial Governments in incorporating by various enactments this enterprise. May I therefore crave your indulgence, even at the risk of being tedious, while I at some length make mention of the legislation, federal and provincial, obtained in the building up of this system of railways.

I do not think that, up to the present time, there has been placed upon the records of this House, or even of the House of Commons a statement of the many charters, federal and provincial, that have been obtained from the federal and provincial Governments of Canada, and that go to make up this entire system, and for the information of Parliament it may be desirable that we should be able to refer conveniently to the multiplicity of legislation that has taken place upon this subject.

The Canadian Northern Railway Company came into existence by virtue of an Order in Council passed on the 13th of January, 1899, amalgamating two railways previously existing under the names of the Winnipeg Great Northern Railway and the Lake Manitoba Railway and Canal Company. This Order in Council is the schedule to chapter 57 of the Statutes of Canada of 1899. The Winnipeg Great Northern Railway Company, one of the amalgamated companies, was originally chartered under the name of the Nelson Valley Railway and Transportation Company by the Statutes of Canada, 1880, chapter 57. A rival company was formed the same year, called the Winnipeg and Hudson Bay Railway and Steamship Company, Statutes of Canada, 1880, chapter 59. Both had power to build from Winnipeg to Port Nelson or some other point on the shores of Hudson bay. These two companies united forces in 1883, Statutes of Canada, 1883, chapter 69, under the name of the

Winnipeg and Hudson Bay Railway and Steamship Company, which was later by the Statutes of Canada, 1887, chapter 81, changed to the name of the Winnipeg and Hudson Bay Railway Company, and later by 1894, chapter 94, changed to the Winnipeg Great Northern. The Lake Manitoba Railway and Canal Company was incorporated in 1889, chapter 57, with power to build from Portage la Prairie northerly to Lake Manitoba, which rights were subsequently extended to a point on Lake Winnipegosis. In 1882 its powers were extended by chapter 41. Then came the amalgamation to which I have referred. The present proprietor, the Canadian Northern, acquired both of the charters and amalgamated under the name of the Canadian Northern Railway Company.

The object of these two companies was the acquisition of the land grants made on them respectively, namely: the land grant authorized by the Statutes of Canada, 1884, chapter 25, for the construction of a railway from some point on the Canadian Pacific railway to Hudson bay, 6,400 acres per mile of railway in Manitoba, and 12,800 per mile in the Northwest territories, and with respect to the Lake Manitoba Railway and Canal Company a land grant made by the Statutes of Canada, 1880, chapter 4, for a line of railway from Portage la Prairie to the southern boundary of Lake Manitoba, 17 miles, and by 1890, chapter 4, for a line of railway from Portage la Prairie to Lake Winnipegosis, 125 miles.

The next step was the absorption by the Canadian Northern by amalgamation of the Manitoba and Southeastern Railway Company in 1900, confirmed by the Statutes of Canada in 1901, chapter 52. This railway company was incorporated in 1889, by the Statutes of Canada, 1889, chapter 60, and authorized to build a line from Winnipeg southeasterly to the International boundary. It also had a land grant covering 110 miles granted by the Statutes of Canada, 1890, chapter 4.

In the same year, namely, 1900, the Ontario and Rainy River Railway Company was incorporated in the Canadian Northern system by amalgamation agreement confirmed by chapter 52 of the Statutes of Canada for 1901. The Ontario and Rainy River Railway Company was incorporated by the Statutes of Ontario, 1886, chapter 75, and the acquisition of these two charters enabled the Canadian Northern to extend from Winnipeg to the head of the Great Lakes at Port Arthur. Incidentally the small railway belonging to the Port Arthur, Duluth and Western Railway was purchased at Trustees' sale, and this latter company, incorporated in 1887, chapter 73, possessed the powers of the Thunder Bay Colonization Company. which was incorporated by Ontario Statutes, 1883. The line between Winnipeg and Port Arthur included forty miles in the State of Minnesota, which led to the incorporation in 1906, chapter 76, of the Canadian Minnesota Bridge Company and the incidental incorporation in Minnesota of the Minnesota and Manitoba Railway Company.

Subsequently, the Canadian Northern under its own charter powers extended to Edmonton and Prince Albert. It amalgamated with the Morden and North Western Railway Company, incorporated Manitoba 1901, chapter 61, with the Edmonton, Yukon and Pacific Railway Company, incorporated 1896 (1), chapter 17, with the Western Extension Railway Company, Manitoba 1903, chapter 59; the Northern Extension Railway Company, Manitoba 1904, chapter 77; the Alberta Midland Railway Company, Alberta 1909, chapter 45; the Saskatchewan North Western Railway Company, Saskatchewan 1908-9, chapter 18; the Saskatchewan Midland Railway Company, 1909, chapter 41; and also with the Winnipeg and Northern Railway Company, incorporated in Manitoba 1905, chapter 122, and with the Canadian Northern Branch Lines Company, incorporated in Canada 1911, chapter 56.

In 1901 an important step was taken in the leasing from the Manitoba Government of the lines of railway now held by the Manitoba Railway Company. As set forth in the Statutes of Canada 1901, chapter 53. The leased lines included the lines constructed by the Northern Pacific and Manitoba Railway Company, the Portage and North Western Railway Company, the Red River Valley Railway Company, the Waskada and North Eastern Railway Company, and the Winnipeg Transfer Railway Company. The acquisition also of the capital stock of the Qu'Appelle, Long Lake and Saskatchewan Railroad and Steamboat Company, which was incorporated by the Statutes of Canada 1883, chapter 72, gave the company the control of an important line between Regina and Prince Albert.

Westerly from Edmonton to the Yellowhead Pass the Canadian Northern Railway system expanded by means of the charter granted to the Canadian Northern Alberta Railway Company, Statutes of Canada 1910, chapter 6. This line is still under construction. By the Canadian North Western Railway Company's charter, Statutes of Alberta 1910, chapter 48, extensions are

being made northwesterly toward the Peace river, and a line has been built to the Brazeau Coal mines. Under the Canadian Northern Saskatchewan Railway Company's charter, incorporated in Saskatchewan 1912, chapter 43, extensions were made by means of certain branches in Saskatchewan. The extensions in British Columbia are all constructed under the charter of the Canadian Northern Pacific Railway Company, incorporated Statutes of British Columbia, 1910, chapter 4.

In Ontario the first construction was made under the name of the James Bay Railway Company, incorporated by the Statutes of Canada 1895, chapter 50, and a small line was built between Parry Sound Junction and Parry Sound. Later this was extended between Toronto and Sudbury under the same charter, the name being changed by Order in Council to the Canadian Northern Ontario Railway Company. Lines have been constructed under this charter between Toronto and Ottawa and are under construction between Montreal and Port Arthur.

In Quebec, by the acquisition of the controlling interest in the capital stock of the Great Northern Railway of Canada, incorporated by the Statutes of Canada 1882, chapter 23, and by the amalgamation of that company with the Chateauguay and Northern Railway Company, incorporated Quebec 1895 (1), chapter 64, and the Quebec, New Brunswick and Nova Scotia Railway Company, incorporated 1903, chapter 178, the Canadian Northern Quebec railway came into existence. A further independent charter, the Quebec and Lake St. John Railway Company, incorporated Quebec 1869, chapter 52, provided terminals in Quebec and certain lines of railway extending northerly to Chicoutimi and Roberval.

In Nova Scotia, with the exception of the small line of railway in Cape Breton, held under the charter of the Inverness Railway and Coal Company, incorporated Nova Scotia 1887, chapter 60, all the lines of railway are covered by the charter of the Halifax and Southwestern Railway Company, incorporated Nova Scotia 1902, chapter 2. Under this charter there have also been absorbed the lines of railway constructed by the Halifax and Yarmouth Railway Company, the Middleton and Victoria Beach Railway Company, and the purchased lines of the Nova Scotia Central Railway Company.

In Minnesota an extension has been made to Duluth by means of the charters of the Duluth, Rainy Lake and Winnipeg Railway Company, which is a Minnesota charter, and the Duluth, Winnipeg and Pacific Railway Company, incorporated in 1909. These lines in Minnesota connect with the Canadian Northern Railway system at Fort Frances in Ontario.

There is also a small group of railways in Ontario not yet amalgamated; for instance, the Central Ontario Railway Company, incorporated as The Prince Edward County Railway Company by Statutes of Ontario 1893, chapter 73, the Irondale, Bancroft and Ottawa Railway Company, incorporated as The Toronto and Nipissing Eastern Extension Railway Company by Statutes of Ontario 1880, chapter 67; the Brockville, Westport and Sault Ste. Marie Railway Company, the property of which was acquired at Trustees' sale, being incorporated by Statutes of Ontario 1884, chapter 63; this line is now called the Brockville, Westport and Northwestern Railway Company, under Statutes of Canada 1903, chapter 88; the Bay of Quinté Railway Company, incorporated as the Napanee, Tamworth and Quebec Railway Company by Statutes of Canada 1879, chapter 67; the Bessemer and Barry's Bay Railway Company, incorporated by Statutes of Canada 1904, chapter 48; and the Marmora Railway and Mining Company, incorporated as the Ontario and Belmont Railway Company by the Statutes of Ontario.

In 1896 Messrs. Mackenzie and Mann may be said to have entered upon the construction of the beginning of this system without probably anticipating at the time its evolution into a transcontinental system. In the year 1896 they acquired the Lake Manitoba Railway and Canal Company charter and proceeded with its construction. This resulted in their acquiring other charters and franchises in the Northwest, and in the construction by them of what afterwards became a comprehensive colonization system from the head of the lakes to the city of Edmonton. The growth and development of this colonization system was largely due to the opening up of the Northwest through the large volume of immigration that settled therein, and secondly to the absence of railway competition.

The Government of Canada as well as the provincial governments through which provinces the road passes responded to the pressure of public opinion in granting aid by guarantee, subsidy or land grant in assisting the construction of the various roads which this company had entered upon.

In 1903 the Government of Canada committed itself to the building of the National Transcontinental system. In the light of our present experience and knowledge it is quite manifest that the Government of that day failed to grasp the seriousness of the problem upon which they had entered. While public opinion was clamouring for railway competition and while pressure was being brought to bear upon the Government to solve this problem of transportation the conclusion seemed to have been reached that great systems of transportation were necessary to the development which Canada was then making. Canada had the one transcontinental system, the Canadian Pacific railway; to which the Government of Canada some years previously had committed itself by the most generous aid. This system of the Canadian Northern in its expenditures was making reasonable efforts to keep pace with the development of the West. In the province of Manitoba through the building of its own line and the acquirement of the lines owned and controlled by the province of Manitoba, all of which at that time had become amalgamated with the Canadian Northern system, furnished a transportation system throughout those western provinces which certainly exceeded in mileage and carrying capacity the transportation facilities of the American west at any corresponding period in the opening up and settlement of their western states. In 1903 when the Government of Canada committed itself to a national transcontinental system it does not seem to have considered that the building of a second transcontinental system meant serious embarrassment to the Canadian Northern system which at that time had developed into a colonization system with mileage almost as large as that of the Canadian Pacific from the head of the Great Lakes to the foothills of the rockies. It meant to the Canadian Northern the threatened deprivation of the westbound traffic. This meant the westbound traffic from eastern Canada would be entirely in the hands of those two systems, and the invasion of the western field by the Grand Trunk Pacific in the building of western branches in addition to the western branches already constructed by the Canadian Pacific railway, must in time paralyse the operation of the Canadian Northern system, thus permitting them to be crushed between the upper and the nether millstones. Wedged in between two transcontinental systems, one commanding the southerly territory and the other the northerly territory of the great West, it became evident that the Canadian Northern railway system to which the Government of Canada, as well as the province of Manitoba, was at that time largely committed in aids and guarantees, must either become absorbed by one or both of the other transcontinental systems, or become so bottled up as to be absolutely fettered in their operation.

No sooner had the Government of Canada seriously entered upon the construction of the National Transcontinental Railway system than this view of the situation was recognized and acknowledged by the Government of Canada, hence we find the late Government committing itself by legislation and aid to creating the Canadian Northern railway into a third transcontinental system. This will be found in the recital of the Act introduced by the late Government for aid to the Canadian Northern Railway Company, and reading as follows. Hon. gentlemen will particularly note the fact that the late Government absolutely committed itself to the creation of this line as a transcontinental system.

Hon. Mr. ROCHE—What year?

Hon. Mr. LOUGHEED—1911.

Whereas, having regard to the growth of population and the rapid development of the production and trade of that portion of Canada lying west of the Great Lakes, and to the rapidly expanding trade and commerce of Canada generally, it is in the interests of Canada as a whole that another line of railway designed to assist in the direct and economic interchange of traffic between the eastern and western portions of Canada, to open up and develop portions as yet without railway facilities, to promote the internal and foreign trade of Canada, to develop commerce through Canadian ports, and to afford the Government system of railways in Quebec, New Brunswick, Nova Scotia and Prince Edward Island an interchange of through traffic, should be constructed from the Pacific Ocean to the city of Montreal: And whereas the projected line of the Canadian Northern Ontario Railway Company extending from Port Arthur to the city of Montreal will provide the uncompleted portion of the said through line lying north and east of the Great Lakes.

Hon. Mr. POWER—What is the hon. gentleman reading from?

Hon. Mr. LOUGHEED—I am reading one of the recitals in the Act passed by the late Government of Canada in 1911, granting aid to the Canadian Northern railway and creating it into a transcontinental system.

Canada in 1911 with a population of approximately eight and one-half millions had not only the Canadian Pacific railway, to

which it contributed most substantial aid and a large section of which it built; the National Transcontinental system, which it absolutely built from Winnipeg to Moncton, costing $180,000,000, and such substantial aid from Winnipeg to the coast, which if judicially expended would in itself have almost constructed the western division, but not satisfied with those extraordinary undertakings, deliberately committed itself to creating the Canadian Northern railway into a third transcontinental system. This meant not only that the Government of Canada, but the different provinces of Canada, through subsidies, aid and guarantees, announced to the money markets of the world that they were behind the Canadian Northern system, that this system had become so interwoven into the texture of our political organization that morally we were committed to stand behind it until it was carried to a successful conclusion. This may be said to be the construction not only placed upon our obligation in the money markets of Europe, but apparently placed upon the different Governments of Canada by the Canadian Northern Railway Company itself.

This brings us up to the point of reviewing what has been done by the company and what has been done by the various governments of Canada. The system has already in operation 7,236.51 miles. It has also under construction with track laid but the road not in operation 1,542.26 miles. It has grade completed but no track as yet laid 150.52 miles. It has grade not completed but under contract 230.08 miles, which gives an approximate total of 10,000 miles. It has received from the Dominion Government in cash subsidies $21,378,534. It has received from the Dominion Government through the Lake Manitoba Railway and Canal Company, the Winnipeg and Hudson Bay Railway Company, and the Manitoba and Southeastern Railway Company, 4,002,848 acres. Also aid received by way of guarantees of the Dominion Government $58,043,248, and guarantees by provincial Governments $76,850,203.

The total outstanding securities which have been issued by the Canadian Northern Railway and allied companies amount to $311,276,822.32, deducting from this the guarantee of the federal Government, namely, $58,043,248, and the provincial guarantees, $76,850,203, leaves a balance of $176,000,000 representing securities which have been issued but which have not been guaranteed by Government.

This system of transportation though uncompleted is nevertheless operating in every province of Canada, excepting New Brunswick and Prince Edward Island.

Hon. Mr. BOSTOCK—What date are those figures given?

Hon. Mr. LOUGHEED—They appear in the documents now laid before the House, and they are brought down to December 31, 1913, the end of last year. To link up and complete its system requires an expenditure of $100,379,099. To apply upon this amount there are unmarketed and unearned securities which will at once become available upon the completion of this work to the amount of $58,473,982, thus requiring a further sum of $41,905,117 for the completion of the system. This latter amount cannot be financed by the company without the intervention of a Government guarantee. It is unnecessary to enter at any length upon the financial conditions which preclude the company on its own credit from raising this amount of money, and no other alternative presents itself to the company than to seek this guarantee from the Government of Canada. It is almost unnecessary to enter upon any discussion as to the financial conditions in the European money markets which have contributed to the company being unable to realize, unaided upon its own securities. For over two years we have been passing through a financial depression not only in Canada but throughout the continent, more severe and greater than has been witnessed for a generation. The most gilt-edged securities have found poor response in the European market for the last two years. The price of securities has decreased in many cases from 25 to 50 per cent and very few of the great institutions from national Governments down to small public utilities have found it possible to secure a satisfactory response for the sale of their securities. The extraordinary development and expansion which have taken place within the Dominion of Canada during the last fifteen years have contributed to our having had recourse to the money markets of the world to such an extent as to depreciate Canadian securities. Not only did the Government of Canada during that period enter upon a period of extraordinary expenditure, but this in turn has been followed by every provincial Government, municipal corporation, public utility, private organizations and individuals to such an extent as to create some little alarm in the money centres of the world. It is, therefore, not surprising that this system of transportation which has been largely built up on the public credit,

at this time of financial stringency and depression should find itself unable to carry out to a successful conclusion the undertaking upon which it had entered. This difficulty has been further accentuated through the action of the Government of Canada having committed itself to a transportation policy far in advance of the actual needs of the country, and certainly beyond the financial obligations which this country should have assumed. Interwoven into our political fibre as this system has been through the committments of not only the federal but the provincial Governments, the question arises as to what the policy of the Government should be in solving this difficulty. The difficulty is not one of this Government's seeking, nor has this Government been in any way responsible for this situation having been brought about.

The situation is one which may be said to have wholly arisen during the late Administration. It was in 1896, the year the late Administration came into office, that Mackenzie and Mann entered upon the first construction of what was the beginning of this system, and almost the last act of the late Administration was to create this road into a transcontinental system, and to commit the Government of Canada to a guarantee of 35,000,000 of dollars. In the recital of chapter 6 of the Statutes of 1911, which I before read, this company was started on its transcontinental career, and the then Government of Canada assumed the responsibility of saying to the investing public we have deliberately assumed this national obligation of giving Canada a third transcontinental system.

This is a legacy which this Government has received from the late Administration, but one which we are prepared to face and to assume and to discharge in the language and according to the terms of the Bill before us for our consideration.

We first have to consider that we are facing the situation of having a transportation system uncompleted and requiring the amount stated to link up and complete its 10,000 miles of rails. We have to consider that the Government of Canada has contributed over $21,000,000 in cash, over four million acres in land, over $58,000,000 in guarantees, while the provinces of Canada are committed on guarantees of over $76,000,000. We further have to consider that $176,000,000 have been secured from the public and have been expended on this enterprise without Government guarantee. We have further to consider, which is probably the most important factor that enters into our deliberation, that the credit of the Government of Canada in the money markets of the world is at stake, and upon a proper solution of this question will depend the retention of that credit we have enjoyed abroad and that guarantee which we must keep established for the continued growth and development and security of the great national interests of this Dominion. With this view we are confronted with one of two alternatives, namely, pursuing the policy we have already laid down in this Bill or refusing the aid which is sought and thus driving the company into the hands of a receiver and thus into liquidation.

The consideration of this latter alternative is one which may be shortly examined. This has been urged by the oponents of this Bill, and I cannot fail to be convinced that the reason of its being so urged is that the responsibility of having to face this question and to work out its solution has not been cast upon the shoulders of those who advocate receivership. Few things in life are easier than for a man who is not called upon to live and to bear a burden, to advise the carrier of that burden as to how he should do it. Few things are so easily indulged in as advice gratuitously given by those who have not to assume the responsibility of taking it. Receivership would mean the assumption by this Government of not only the completion of this undertaking but the assumption of all the responsibilities and of all the outstanding securities already issued exceeding $311,000,000. This at a time of financial stringency and depression with Canada's borrowing power strained to the utmost tension. This at a time when it has on its hands the National Transcontinental system, the most complex transportation problem probably which any national Government has ever entered upon. This at a time with a problem to be solved whether the Grand Trunk Pacific Company will be able to assume all the obligations of the contract which they have entered into in the taking over and operating of this enormously expensive undertaking weighted down by the heaviest fixed charges in relation to its earning power of any railway on the continent, and the ultimate probability of the Government of Canada having this system

on its hands. This at a time when we are operating the Intercolonial railway without any return whatever upon its fixed charges and subjected to a continued criticism that is absolutely opposed to Government ownership. This at a time when we have committed ourselves to an expenditure of 50 million dollars on the Welland canal, at a time when we are subject to a pressure difficult to resist for an expenditure of 200 million on the Georgian Bay canal and at a time when the expanding requirements for public works and public expenditures are getting entirely beyond our public revenue. Facing this situation and all the complex problems involved therein no Government of Canada would dare at the present time no matter how strongly their opponents may advocate it, to enter upon all the responsibilities involved in first precipitating a financial panic through refusing to aid this company; secondly to destroy our credit for a generation not only in the money markets of the world but more immediately in the panic which would be produced in Canada through the non-payment of floating obligations inclusive of temporary loans owing to our own banks, contractors, merchants and creditors of this company to an amount closely approximating $50,000,000. All these are consequences which have to be looked squarely in the face, which have to be weighed, considered and assumed before pursuing such a course as that advocated by our opponents of forcing this company into liquidation and after prolonged litigation assuming the taking over of this system as a Government railway.

While the opponents of the Bill lightly speak of what the Government should do in assuming all the responsibilities involved in this problem of receivership and Government ownership they have not expended upon it a moment of anxiety or lost an hour's rest. While on the other hand on being confronted with these questions, the most serious probably that any Government has been called upon to face since Confederation, this Government for a couple of months has wrestled with the question from every angle and from every standpoint, and this measure now before us represents not only their united and best judgment but the judgment of the most important interests in the country. We, therefore, feel assured in submitting this to Parliament, as a measure embodying the best consideration and the most satisfactory determination of one of the most difficult subjects with which Parliament has been called upon to deal.

With your permission I shall enter shortly upon a review of the details of the measure. Preliminary to granting this aid the Government instituted an inquiry, as far as could be done in the limited time at its disposal, by its accountants and engineers, as to the application of the proceeds of the various securities which had been issued upon the credit of the system, with a view of determining as to whether they in their entirety had been legitimately expended upon the work of the system. The statements placed upon the table of Parliament, numerous and comprehensive as they are, have been carefully scrutinized and verified from the books and official documents of the company by the officials of the Government, with the result of the Government being satisfied that the proceeds of those securities have been duly applied in the legitimate carrying out of the undertaking of the company. This was the more necessary on account of the reports which had been circulated, and the feeling that had been created that Mackenzie and Mann had profited greatly in the handling of those moneys, and as contractors in the building of the road. From the closest investigation which the Government has been able to give to this question, the freest access having been given to all the books and documents of the company, and all information asked for being provided without hesitation, there is no evidence apparent in any or all the records of the company that Mackenzie and Mann have personally profited through their association with the company. There has been held in suspense account a commission which they had intended charging the company as contractors, and which, in ordinary practice, would have been allowed them as force account, and being a commission upon the amount of money expended in the construction of the undertaking as contractors and financial agents, and which might reasonably be fixed at $15,000,000 on a basis of 5 per cent, say, on an expenditure of $300,000,000. This, apparently, with the stock which they hold in the enterprise, they regarded as the compensation to which they would be entitled from the entire system for the services they had performed as contractors

and financial agents. The Government, in entering into this measure, took exception to this commission being allowed in any form as a charge against the company, with the result that it has been eliminated, and their compensation represented entirely by any stock they may hold in the enterprise. It has been generally reported that Mackenzie and Mann did not put any money into the enterprise. In answer to this it may be said that the four million acres of land grants given to the roads in Manitoba by the Canadian Government did substantially become the personal property of Mackenzie and Mann owing to their having financed the building of those roads. Entirely irrespective of the land grants, when they amalgamated those roads with the Canadian Northern system they could have withheld this four million acres of land, but voluntarily they included it with the assets handed over to the Canadian Northern system. Had they retained this land grant, which they could have done and which others have done, notably the promoters of the Calgary and Edmonton road, and the Long Lake, Qu'Appelle and Saskatchewan railway, the road between Regina and Prince Albert, they would have realized a profit without having entered upon the Canadian Northern undertaking, and greater than they can hope to derive in the near future from the entire Canadian Northern system, which they have undertaken and have carried on to the present stage of development. Notwithstanding the reports which have been circulated to the contrary there is, therefore, no evidence of any profit having been directly derived by Mackenzie and Mann in carrying out this undertaking up to the present time.

Inquiry was also made as to the probable cost of completing the road. This, as I have already said, is established at $100,379,099, to which will be applied the proceeds of the securities representing $58,473,982 yet unmarketed and unearned and immediately available upon the completion of the road. The particulars of these securities are as follows:

Proceeds of securities which will be issued in respect to above expenditures and cash in trust accounts, for construction.

Canadian Northern Pacific railway—		
Canadian Northern Pacific railway 4½ per cent debenture stock and subsidy	$ 6,704,097	
New securities	4,854,500	
Canadian Northern railway—		
Proceeds of securities in hand and to be earned against above..	7,634,497	
Canadian Northern Ontario railway—		
Proceeds of securities in hand and subsidy to be earned..	16,788,822	
Canadian Northern Tunnel and terminal Co.—		
Proceeds of terminal securities	5,995,734	
Rolling stock—		
4½ per cent equipment bonds.	16,496,332	58,473,982
Balance to be provided..		$ 41,905,117

Certified correct:
A. J. Mitchell,
D. B. Hanna.

This would leave a balance of $41,905,117 to complete the system. The particulars of the requirements to complete the system are as follows:

CANADIAN NORTHERN RAILWAY SYSTEM.

Requirements to Complete.

1. Canadian Northern Pacific Ry.—		
British Columbia section..		$23,647,492
2. Canadian Northern Ry.—		
Main line and branches already under construction	15,042,896	
3. Canadian Northern Ontario Ry.—		
Montreal, Port Arthur and Toronto-Ottawa..	18,251,891	
4. Canadian Northern Tunnel and Terminal Co.—		
Montreal terminals ..	5,995,734	
5. Rolling stock—		
Equipment for Transcontinental and maturing equipment notes..	27,411,086	
6. Betterments—		
Ballasting, permanent improvements including heavy rails on balance main line..	10,000,000	
		$100,379,099

These estimates have been checked and verified as far as could be done by the engineers of the Government Railway Department.

To secure this $41,905,117 will require a guarantee of bonds of approximately $45,000,000, which, less the discounts and commission, will realize the amount necessary to meet this expenditure.

The Government made further inquiry as to the securities obtainable to warrant this

obligation being entered upon. This security I recite from a statement made by the Prime Minister on the introduction of the Bill:

1 A mortgage upon the undertaking, property, assets and revenues of the Canadian Northern railway, which comprises some 5,350 miles, extending between Port Arthur and Edmonton, and includes numerous branches in the three prairie provinces.

2 A mortgage or charge upon the properties and assets of the allied companies to the extent to which any of the moneys raised by the guaranteed securities may be appropriated and paid for the construction or betterment of their respective undertakings.

3 A mortgage or charge upon the shares of the allied companies now transferred to the Canadian Northern.

4 A charge upon all the securities and stocks enumerated in the second schedule, and a first charge upon the Brockville and Westport railway—a small railway of about 45 miles.

5 A charge upon the equity of redemption of Mackenzie, Mann and Company, Limited, in $10,000,000 of capital stock, and $10,000,000 of first debenture stock in the Canadian Northern Town Properties, Limited.

For greater particularity I would refer hon. gentlemen to the schedule set forth in the Bill. In addition to this the Government will be given absolutely forty millions of paid-up stock in the entire system inclusive of the seven million which at the last session of Parliament was exacted by the Government at that time from the company in connection with the subsidies and aid then given to the company. A further consideration exacted from the company was that there should be a reduction of its capitalization. Up to the present time the entire capitalization of the various companies amounted to one hundred and forty-five million. It has been provided that the stock of the allied companies is to be transferred to and vested absolutely in the Canadian Northern and that the entire capitalization shall be fixed at one hundred millions, forty millions being owned by the Government of Canada and sixty millions by Mackenzie and Mann. It is unnecessary to point out that the reduction of this capitalization will have an important bearing on the charges upon the road so far as the public is concerned, should the undertaking be carried to a successful conclusion and placed upon an earning basis.

Hon. Mr. BOSTOCK—In the blue-book on page 34 that amount is given, as capital stock authorized and issued, as $145,778,500, but on page 21, under the head of 'Capital stock authorized and issued,' of the companies set out in the first schedule, it is put at $158,611,000.

Hon. Mr. LOUGHEED—I would say to my hon. friend that at the time the list on page 34 was prepared it was left incomplete; there were certain companies that were not included at that time. The schedule on page 21 was the more inclusive, and includes companies omitted from page 34.

Hon. Mr. BOSTOCK—Then the right figures would be $158,611,300?

Hon. Mr. LOUGHEED—Yes. Time will prevent my analyzing in detail the value of the different classes of securities which have entered into this transaction. Suffice it is to say that a perusal of the schedules embodied in the Bill will furnish information to hon. gentlemen which will permit their satisfying themselves that there is a fair margin of security in the properties which are therein enumerated.

Speaking generally it may be pointed out that with this additional obligation charged upon the entire system, Canada will have a third transcontinental system representing an indebtedness not greater than $40,000 per mile and fixed charges of $1,600 per mile. This will compare most favourably with any of the great railway systems in America. It is estimated that the indebtedness per mile of the Canadian Pacific railway is over $35,000 per mile and it will be less than half of the mileage indebtedness of the National Transcontinental railway. It comes well within the margin of safety and of earning power and averaging favourably with the roads on this continent. The agreement between the Government and the company provides every reasonable protection to safeguard the interests of the country in the expenditure of the money being applied upon the actual construction and completion of the undertaking. Most adequate provision has been made for the liquidation of the floating liabilities which have been contracted in the construction of the road itself and which amount to $21,378,534. The Government has satisfied itself that those liabilities have been incurred in connection with the actual work of construction and the liquidation of this very large amount will no doubt contribute greatly to relieving the strained financial condition which has arisen by reason of the non-payment of these liabili-

ties for many months past. Covenants have been exacted to the satisfaction of the Government from Mackenzie and Mann, Limited, that they would duly protect the temporary loans owing by the company and set forth upon pages 42 and 43 of the documents, and this entirely outside of the aid which it is now proposed to give, and entirely outside of the unearned and unmarketed securities which go to make up the one hundred million which will be applied in the completion of the undertaking.

Hon. Mr. CHOQUETTE—Speaking about security, my hon. friend referred to 4,000,000 acres of land; has that been transferred to the Canadian Northern Railway system?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. CHOQUETTE—Can my hon. friend tell me the value put by the Government upon these lands, per acre?

Hon. Mr. LOUGHEED—Up to the present time they have realized out of that 4,000,000 acres of land about $30,000,000.

Hon. Mr. CHOQUETTE—What is the balance of land?

Hon. Mr. LOUGHEED—My recollection is that there are about 800,000 acres left, approximately speaking.

Hon. Mr. CHOQUETTE—This amount of land left, is it given as security to the Government?

Hon. Mr. LOUGHEED—The agreement makes further provision, and of the most satisfactory character, in the interests of the public in the event of default arising by the company in the carrying out of its obligations, permitting the Government to enter upon and take possession of the road, and subject to Parliament to take over the entire system as the property of the Government of Canada. It may not be out of place in this connection to say that in the agreement which has been worked out in this measure looking to the Government obtaining every possible security to protect its guarantee, in addition to every precaution being taken to see to the application of all moneys being made upon actual construction and thus furnishing every assurance for the completion of the road. In the provisions as to the right of foreclosure, of possession and of assuming not only entire control but entire ownership, the Government combines the advantage of having the system completed without assuming public ownership and of owning two-fifths of the entire capital stock which in the event of the undertaking becoming a successful and prosperous enterprise will be a national asset upon which the people of Canada will have every reason to congratulate themselves. On the other hand, should default arise and should the Government of Canada be called upon to invoke their rights under the agreement to take possession of the road, we have the advantage of the present contractors completing the undertaking at a cost substantially less than it would be at all possible for the Government of Canada at present to enter upon and complete the undertaking themselves. It will probably be readily admitted that Mackenzie and Mann, Limited, are in a position to complete this undertaking at probably fifty per cent less than the Government of Canada could enter upon such a responsibility and carry on the work to a completion.

Hon. Mr. BOSTOCK—Has that been figured out as to what the mountain section costs per mile?

Hon. Mr. LOUGHEED—Yes; if my hon. friend will again remind me of that during the discussion I shall get the figures for him, but I have been advised by authorities on whom I can rely that that work—the same class of work—has not cost more than one-half that of similar work on the National Transcontinental railway.

Hon. Mr. BOSTOCK—That is, the Grand Trunk Pacific?

Hon. Mr. LOUGHEED—Yes. We have the further advantage that if default is made we shall have had the aid which we are now voting applied in the completion of the undertaking without disturbing the financial conditions of Canada at this very critical period in our financial history. We shall escape precipitating a panic in Canada at a time when it was never more necessary to maintain the public credit and to meet the financial exigencies of the hour. This measure gives assurance of a satisfactory completion of this great undertaking and if default should arise, then under the provisions of the agreement the Government of Canada will be able automatically to enter into possession of the property and to assume control and public ownership without at the present moment producing a financial convulsion within our own boundaries, not to speak of the impairment to our national credit abroad.

To sum up perr it me to say that with this aid it will not have reached relatively the aid granted to the other transportation systems in Canada. It is estimated by a recent author that Canada's railways have been given cash subsidies amounting to $218,000,000. The mileage of Canadian railways is estimated at 30,000 miles, of which this system represents about one-third. Cash subsidies to this system as has been pointed out will not exceed $25,000,000, thus falling far short of its relative proportion of subsidized aid. It has been further estimated that the Dominion has given over 32,000,000 acres of land by way of subsidies to railways, and this system which represents about one-third of the railway mileage has received approximately only four million acres.

In view of the enormous expenditure we have been called upon to make upon the National Transcontinental railway and the extraordinary aid we have been called upon to give the Grand Trunk Pacific, particularly in the construction of its mountain section, and in the loans and implementing millions which the Treasury of Canada has been called upon to provide; the Government, therefore, considers that in view of the critical situation which has arisen in the construction of this Canadian Northern system, a situation which has not been brought about by any act or policy of the present Government, they feel justified in submitting this measure to Parliament and expecting the approval and support of this Senate in its adoption.

Hon. Mr. ROCHE—The leader of the Government recited in the course of his remarks that there were mortgages. I would like to ask where those mortgages are held now, whether in England or Canada.

Hon. Mr. LOUGHEED—They are held by the various trust companies, who are acting as trustees for all the parties concerned, some I presume in England and some in Canada.

Hon. Mr. BOSTOCK—I beg to move the adjournment of the debate.

The debate was then adjourned.

TARIFF CHANGES.

DEBATE ADJOURNED.

On the Orders of the Day being called:

Resuming the adjourned debate on the resolution of the Hon. Mr. Powers:

That this House regrets that the Government, having decided to alter the tariff, have made no effort to lessen the cost of living by removing or substantially reducing the duties upon the necessaries of life.—Hon. Mr. McKay (Cape Breton).

Hon. Mr. McKAY (Cape Breton)—As it is now nearly one o'clock I would propose that the debate be adjourned for a certain time.

The SPEAKER—It is moved that the debate be adjourned until Friday next.

Hon. Mr. POWER—Certainly not. The hon. gentleman simply adjourned the debate, and that would mean until tomorrow.

The SPEAKER—He said a certain time; I asked him if Friday of next week would do, and he said yes.

Hon. Mr. POWER—The hon. gentleman did not move the adjournment of the debate until after prorogation surely?

Hon. Mr. YOUNG—There will be no prorogation then. The debate is not in danger.

Hon. Mr. McKAY (Cape Breton)—Monday will be quite satisfactory.

The motion was adopted and the debate was adjourned until Monday next.

The Senate adjourned until this afternoon at 3 o'clock.

SECOND SITTING.

The SPEAKER took the Chair at Three o'clock.

Routine proceedings.

THIRD READINGS.

Bill (41) an Act respecting the Canadian Railway Company.—Hon. Mr. Watson.

Bill (63) an Act respecting the Canadian Northern Ontario Railway Company.—Hon. Mr. Watson.

CANADIAN NORTHERN RAILWAY GUARANTEE BILL.

DEBATE RESUMED.

The Order of the Day being called:

Resuming the adjourned debate on the motion of the Hon. Mr. Lougheed of second reading of Bill (214), 'An Act respecting the Canadian Northern Railway System.'

Hon. Mr. BOSTOCK—The speech that we have heard this morning from the leader of the Opposition on this question was very concise and to the point, and he laid a number of facts before the House which are very well worth looking into. But there is

a great deal that can be said on the other side of this question, as to the advisability of going into an arrangement such as is proposed in this case by the Government. The hon. gentleman dwelt with the possibility of what might happen in the country if the Government had not taken hold of this question in the way that they have done. There is nobody in this House who would disagree with the statement that it is absolutely necessary that something should be done with this question, and to prevent the climax coming about, which would happen if the road were left to take care of itself. The difference that occurs is in the method of handling the situation, and it is with regard to this situation that I propose to address my remarks. The hon. gentleman gave us a history of the building of the road and the way it has arrived at its present position. He laid great stress on the fact that the late Government had been responsible for the position in which the country and the Government found itself to-day with regard to the position of this road. He also reverted to the question of the National Transcontinental railway, and of the Government being met with the position of that road as well. The National Transcontinental railway has been built from one end of the country to the other, and is in every sense of the word a truly transcontinental road. It has been built on a basis of constructing the road on a standard that excels a great many of the roads that have been built before and are being built at the present time. The reason for this was that the men in charge of the construction of that road considered that it was very much better to build the road on a high basis, and to make it a thoroughly high-standard roadbed, rather than to build a road that is of a lower standard at the start and increase it later on, the reason being that with a high-standard of construction we have very much less cost of operation. Therefore we are placed in this position, that in comparing the standard of that road, and of this road we are now dealing with, the comparison cannot be based on a matter of figures. It cannot be based on the question of how much the road has cost per mile, because we have to go into all the questions of the way the road is built, and its physical condition. The hon. gentleman did not deal very strongly with the responsibility of the present Government for this condition of things. He pointed out that the late Government had subsidized this road under certain conditions, and he quoted from the preamble of the Bill passed in 1911 that guaranteed the bonds of the road to the amount of $35,000 a mile. That Act dealt with the guarantee of bonds for the road from Port Arthur to Montreal, and had nothing to do—although possibly the preamble went further than the Act itself did—with the construction of the road to the Pacific. The question was raised that, had this Canadian Northern road been left as it was with no outlet, it would have been very much hampered in its trade both East and West. This Act of 1911 provided for an outlet for the road to the East that would enable the Canadian Northern railway to get traffic to the East over its own line; but the hon. gentleman did not mention the fact that the road from where it was constructed up to the boundary of Alberta could have obtained running rights over the Grand Trunk Pacific, and in that way have got out to the coast. This would have saved an enormous amount of expense and a great deal of parelleling already existing roads. But the present Government, in order to deal with this matter after they came into power in 1911, asked Parliament to give a guarantee to this road on 115 miles from the boundary of British Columbia, to the extent of $35,000 a mile; in the same session of Parliament they gave a cash subsidy of $12,000 a mile on 525 miles of road in British Columbia, amounting altogether to $6,300,000. Therefore this present Government has made itself responsible for the building up and the extension of that road to the West. Again, in the last session of Parliament, the Government granted a cash subsidy of $12,000 per mile on 910 miles, making a total of $10,920,000 on a part of the line running from Ottawa to Port Arthur, and they also gave, at the same time, a cash subsidy from Edmonton to the boundary of British Columbia, a distance of 260 miles, to the amount of $12,000 per mile, amounting to $3,020,000. Further, last session they also gave a cash subsidy of $6,400 per mile for the line from Toronto to Ottawa, 250 miles, amounting to $1,600,000. The total of those cash subsidies given last year amounted to altogether $15,640,000. We come to this point: last year the Government put before the country a new proposal, one which had not been before the country, and which, I fear, will lead us into a very bad and unsatisfactory position. When they granted a cash subsidy of $15,640,000, they

put before the country that they were doing something in the public interest by taking stock in the road to the extent of $7,000,000. That was a very bad policy to adopt, and the country should not have been placed in the position it was. They further, in dealing with the road in British Columbia, adopted the policy of subsidizing to a large extent a road established entirely under a provincial charter, and which, even at the present time, although a part of a large transcontinental system, is nothing but a provincial road. That policy is certainly one that I do not think any one can properly justify as being in the interests of the country. Before proceeding further with this question of what has been done for the country by this company, I would like to draw attention to the figures of what the country has done for this company, and what they may still have to put up in bonds and securities, already guaranteed. First of all let me begin with the assistance that has been given to this company, owing to the large land grant to which they fell heir when they took over certain rights which were mentioned this morning. The total land grant that the company received at that time amounted to 4,002,000 acres, and in a statement which was made June 30, 1910, they show that in the year 1909 they had sold 116,662 acres of that land at a price amounting to $1,091,722.37, making an average per acre of $9.36. That is shown on page 7 of the report of the company. Then again in 1910 they sold 246,996 acres at a price of $2,561,072.52, an average price of $10.36 an acre (page 6 of the report). In 1911 they sold 279,151 acres at a price of $3,345,498.73, an average price of $12 per acre. In 1912 they sold 55,111 acres at a price of $836,-084.37, or an average price of $15.17. in 1913 they sold 19,755 acres at a price of $291,-193.18, or an average price of $15.30 per acre. The land sales, therefore, up to the 30th June, 1910, would amount to $12,964,627.76. The available acreage at the same time, 30th June, 1910, was $1,151,017. From the 30th June, 1910, to the 30th June, 1913, the company sold 354,017 acres, and there were unsold on June 30th, 1913, 797,000 acres. Estimating the amount of unsold land, 797,000 acres, at $15 per acre, leaves $11,955,000, or a total of $29,392,404 altogether that they received for this land. This is the land concerning which the hon. gentleman this morning said Messrs. Mackenzie and Mann were to be given credit, because when they had built under the charters to which this land is given, they had not kept it all to themselves. But the country gave that land for the purpose of building railways, and I do not think that my hon. friend himself would altogether agree with the statement that Mackenzie and Mann were entitled simply to take that land and sit back and do nothing but enjoy the proceeds of it. The bond guarantees given by the Dominion Government to the company make a considerable list, and I hope that I shall not weary the House by reading it. However, the statement should be put forward so that hon. gentlemen may understand what has been done in that way. The first bond guarantee was the Canadian Northern Railway Company, chap. 7, Edward VII, 1903: Gilbert Plains branch to Edmonton, 620 miles; Prince Albert branch, P. A. east, 100 miles; $13,000 per mile. The guarantee is for the principal of £,923,287 sterling and interest thereon at the rate of 3 per cent per annum for fifty years.

2. The Canadian Northern Railway Company, Cap. 11, 7 and 8 Edward VII, 1908: The guarantee is for the principal of £1,622,586 19s. 9d. sterling debenture stock and interest thereon at the rate of 3½ per cent per annum for fifty years from July 20, 1908, interest payable half yearly.

Regina to Manitoba, 152 miles.

Saskatoon towards Calgary, 175 miles.

Prince Albert to Battleford, 132 miles.

West boundary Manitoba to Rosthern, 100 miles.

Roseburn line, west boundary of Manitoba, northerly direction, 50 miles.

These were all guaranteed at $13,000 per mile.

3. The Canadian Northern Ontario Railway Company, Chapter 6, 1 and 2 George V, 1911:

The guarantee is for the principal of £7,493,835 12s. 4d. sterling debenture stock and interest thereon at the rate of 3½ per cent per annum for fifty years from May 19, 1911, interest payable half yearly—1,050 miles.

4. The Canadian Northern Alberta Railway Company, Chapter 6, 9-10, Edward VII, 1910, as amended by Chapter 8, 2 George V, 1912:

The guarantee is for the principal of £647,260 5s. 6d. sterling debenture stock and interest thereon at the rate of 3½ per cent per annum for fifty years from May 4, 1910, interest payable half-yearly; $13,000 per mile for the first fifty miles; $25,000 per mile for the balance from St. Albert westward.

5. 2 George V, Chap. 7, 1912: Canadian Northern Alberta, 115 miles to Yellowhead Pass, $35,000 a mile—$4,025,000.

Here is the summary of these Dominion bond guarantees: 1903, £1,923,287 0s. 0d.; 1908, £1,622,586 19s. 6d.; 1911, £7,493,835 12s. 4d. ; 1912, £647,260 5s. 6d. £11,686,969 17s. 7d., or $56,915,539. 2 George V, Chap. 7, $4,025,000. Total, $60,940,539.

Then we have the provincial guarantees as well. I do not propose to trouble the House with the whole particulars of the provincial guarantee, but I shall give the total figures as follows: Guarantee by Manitoba, $24,059,446; guarantee by Alberta, $35,349,000; guarantee by Saskatchewan, $18,590,000; guarantee by Ontario, $7,-860,000; guarantee by British Columbia, $47,975,000.

The total subsidies granted are as follows: Dominion and municipalities, $31,-319,420; Ontario, $2,001,000; Manitoba, $641,000; Quebec, $3,413,541.

To that we have to add this total that I have already given of the Dominion bond guarantee, and also the total of the land grant. In addition to the amount that I gave just now of $29,392,404 received from the Dominion Government, there was, on an estimate, $10,000,000 for two million acres of land which was given by the Ontario Government, and of $3,000,000 for the land given by the Quebec Government, making a total altogether of subsidies, guarantees and land given to this company of $274,541,338. In addition to that, there is a loan which was given by the Nova Scotia legislature to the Halifax and Southwestern amounting to $5,022,000, and a total of subsidies granted amounting to $656,427; so that, adding onto the figures that I have already given, it makes a total of $280,269,765. I want to point out to the House that that represents the amount which this country has guaranteed to this railway company, and in dealing with the matter we have to consider these figures as a liability, as far as the bond guarantees are concerned, that the country has to provide for before this road is really completed. The figures given by my hon. friend this morning were the figures of what the company had already actually earned, which of course is very much less than the figures here given, but in dealing with the matter we have to consider what the country has guaranteed to this railway. The undertaking is a very great one, and it has been curious to follow the way that the business of this company has been handled from time to time. When in 1910 Sir William Mackenzie and Sir Donald Mann, who practically stands for the company at the present time, went to British Columbia and asked for a guarantee, that province gave them a guarantee of $35,000 a mile for building the road through British Columbia. They presumed that they would be able to build the line for an amount that would not probably be very much greater than the cost of roads that they had already built, but they should surely have looked ahead and tried to see what the cost of construction in a country like British Columbia was going to be, the cost of railway construction in British Columbia being very much greater than in other parts of the Dominion. At the same time there is not the same possibility of developing business, as the road is built there, as there is in other provinces. The province of British Columbia in 1910 guaranteed their bonds as I have indicated, but the promoters found that it was not nearly enough for their purpose. The company then came to this present Government and received a cash subsidy, and afterwards went back and got a further guarantee from the Government of British Columbia. At the time they were in Victoria asking for this extra guarantee on the road from the Yellowhead Pass through to Vancouver, a statement appeared in one of the Vancouver papers which throws a peculiar light on the way that the affairs of this country appear to be managed. On the 7th of January last a statement was published in the News-Advertiser of Vancouver attributed to Sir Wiliam Mackenzie. When questioned as to whether the Canadian Northern railway was at all financially embarrassed, Sir William Mackenzie said that the reports which had been made to that effect were altogether absurd. He added: 'We spent $50,000,000 during the course of last year, and the Canadian Northern railway is going right ahead. We have not been at all troubled finding funds for carrying on the work, and we do not expect we will be.' This statement was made on the 7th January last, yet in the blue-book before us we find that an application was made to this Government on the 5th March of this year for the aid that we are now asked to consider. The statement that appeared out in the West also went on to say that Sir William Mackenzie being asked if the Canadian Northern railway intended to get running rights over the Intercolonial railway, stated that in the event

of the Canadian Northern railway doing anything with regard to this railway, the company would endeavour, not to get running rights over the line but to buy it. Apparently Sir William Mackenzie has changed his mind or come to another conclusion since that statement was made, as on turning to the Bill we find that the provision is made for the Canadian Northern railway to make traffic arrangements for an interchange of business with the Intercolonial railway. Now, what are we getting for this guarantee of $45,000,000? We are getting a mortgage on stocks that come into this arrangement. A great deal has been said about the value of the stocks, and it is very difficult to come to a conclusion as to what they are really worth. The value put upon them this morning by the hon. leader of the Government, as shown on page 34 of the blue-book, is $145,778,500. But I understood him to say, in reply to myself, that these figures did not show the amount of stock held under this first mortgage, that the country receives under this arrangement, that the real figures are to be found on page 21 of the blue-book, and are $158,611,000. Deducting from that the $77,-000,000 of Canadian Northern Railway Company's stock, we arrive at a figure of $81,00,000, roughly, of stock which we get for the first security for this advance of $45,000,000. If hon. gentlemen will look at the list of companies on that page, they will see that a great deal of this stock has never been issued and put on the market, and there is no market value for it. It is entirely a speculation as to what the value of this stock really is. The stock, of course, at the present time is as I understand placed in trust, or as we would say in some cases is pooled for the purpose of being held at this present juncture, but there is no arrangement made that that stock shall be retired in any way, and it is only held, if I understand the situation aright, till the company is put on a financial basis and able to take care of itself. Should such a time ever arrive, then the company will be in a position that they can take this stock, and put it on the market, and in that way it will get into the hands of the public, and the cost to the people of the carrying charges on their goods will be increased by the fact that they will have to pay dividends on this stock. It certainly seems that the Government in dealing with this question, should have made some arrangement whereby this stock could be retired and not placed in a position where it can go on the market again in any shape or form. Another point in this bargain is that the promoters of this company are entitled to an increase in the stock of the Canadian Northern railway itself, because this eighty-one million of stock is brought into the pool in this way. I have already said that it is very problematical what the value of this stock is, and I do not think it has been shown at all why an increase in the stock of the Canadian Northern railway should be made to these gentlemen. As was stated by my hon. friend this morning, they have received this stock because of, as he put it, charges that they were supposed to be entitled to on account of the building of the road, but when two men in the position in which these two men are to-day, come to the Government and ask them to come to their assistance and help them out of their difficulties, are they entitled to ask any consideration for these commissions, which they appear to have put forward, in addition to the stock of the Canadian Northern Company that they have already received? The stock in the Canadian Northern Company, if I understand the matter aright, has not been shown to represent any actual money put into the company. If I understand the statement that has been made about this stock that the Government is to hold in the Canadian Northern railway, it is that stock has been paid over to them from the profits on the construction of the road. The question as to value of the next class of security that we received for this advance of $45,000,000 is one that is difficult to decide. It simply amounts to an equity in the eleven companies mentioned in the second schedule to this Act, and it is very difficult to say what that equity is going to amount to. Then thirdly we received a mortgage on the Canadian Northern Railway properties themselves, on the main line and all branches. That raises the question of the value of the road as it is constructed. Hon. gentlemen have been West and have probably travelled over that road know that the condition of the roadbed is not such as they would care very much to travel over. The question of the real condition of the roadbed does not appear to have been examined into by the Government. We have no report submitted to this House from engineers showing what the condition of the roadbed is throughout this part of the line, and therefore it is impossible for

the House to form any judgment on the value of a physical mortgage of that kind. The question of the roadbed at the Pacific end of this line was shown up very clearly in the statements which were made by hon. gentlemen who discussed this question in another place; and I might just refer to a question that was answered to myself in this House not very long ago by the leader of the Government when I asked him what was being done on the Fraser river. He replied that the Government had arranged with a company to clear the obstruction that had been caused in the Fraser river by the sliding of a part of this roadbed into the Fraser, and which had caused it to be blocked so that even the salmon could not get up the river. In answer to my question the hon. gentleman said that the Government expected it would cost at least $50,000 to clear that obstruction out of the way; but he was not asked and therefore we do not know how much of the roadbed went into the river at that time, or what it is going to cost to replace that portion of the roadbed. The whole of this road along the Fraser river is a very difficult piece of construction; as hon. gentlemen who have been there probably know, it is very liable to trouble of this kind, and it adds very considerably to the cost of the road when those slides occur. We have another security for this guarantee of $45,000,000 in the townsite properties that are said at the present time to belong to Mackenzie and Mann, Limited. These properties are estimated at various figures, and it is very hard, in following the discussion that has taken place, to find out exactly the value of those properties. It has been stated that those lands are worth some $30,000,000 but we have no list at the present time of what is represented, and cannot tell what townsites are included and what land is included in this amount, or what has been turned over to other companies. Some discussion has taken place on the question as to whether the townsite at Port Mann was included in this list of townsites. I do not know, from my knowledge of Port Mann itself, that it makes very much difference whether the townsite of Port Mann is included in that list or not, because I do not consider that Port Mann is ever going to be a very important townsite, on account of its position, and also of the fact that it is not at the terminus of the road in British Columbia. Hon. gentlemen might have had the idea that Port Mann is at the terminus, but any one who has been there and seen its location will realize that it cannot, for a large number of years, become a large town, because any western traveller would have to go to the roads terminus at Vancouver and, therefore, we have to pass through the townsite. I give that as an indication of the probable value of that fourth class of securities that we are getting in return for this guarantee of $45,000,000. The other two securities that we received for this guarantee simply amount to a mortgage on the companies on which this money is to be spent, and those companies are already mortgaged to the provinces and the Dominion who has given guarantees on parts of the lines. In addition to that, of course we have a mortgage on a small railway in Ontario, which, being a first mortgage may be of some value, but that will not be much security for a guarantee of $45,000,000. The Government have also taken, as part of the consideration that they receive for this guarantee of $45,000,000, stock in the company to the amount of $33,000,000, making, with the $7,000,000 they received last year, the sum of $40,000,000. This is a curious way of benefiting the country; I do not consider that it is a good thing for the Government of the country to be tied up with the company in this way. They have increased the capital stock of the company to $100,000,000, and the Government takes $40,000,000, leaving Mackenzie and Mann with $60,000,000 in the company. This puts the Government in the position of a minority stockholder in a company which these two gentlemen are managing, and the Government have very little control over the way that these gentlemen will carry on the business in the future—very little more control than they have had in the past. At the same time it enables Sir William Mackenzie and Sir Donald Mann to say that they have the country interested in their company, and will put them in the position of being able to go to the financial people in Europe and other places and say that the Government itself is interested in this company to the extent of $40,000,000, and therefore that the securities of the company are in a very much better position than if they had just received from the Government a guarantee of $45,000,000. I think very strongly that it is not a satisfactory thing for the country to be tied up this way with the company, and that by taking this action the Government has assumed a very serious responsibility, and one that later on may lead to considerable trouble. If the Government had wanted to

deal with this question in a really business-like way, they could have arranged to advance this money to the company and make it in the form of a loan, and then they would know exactly where they stand. But as the conditions are at the present time, the Government is in the position of an ordinary partner with these two men in this company, and they are not on an equal basis. They simply are in the position of a minority stockholder.

Hon. Mr. GORDON—I wish to point out something which I would have liked to raise earlier if I had had the statutes in my hand.

Hon. Mr. BOSTOCK—Does the hon. gentleman want to ask a question?

Hon. Mr. GORDON—No. I wanted to quote the statute.

Hon. Mr. BOSTOCK—That brings me to the point of considering this question of what the road is really costing at the present time. The application made to the Government represents, as was stated this morning, that this company requires $100,371,099 for the purpose of completing this road. It is represented at the same time that they have securities which they will earn if they have further money to go on and complete the work of construction. These securities on hand and coming due amount to $58,473,982, but those securities have to be earned, and it is questionable in one way whether that money should really be included. The figures are given on page 18 of the blue-book and the first item we find there says 'Canadian Northern Pacific Railway 4½ per cent debenture stock and subsidy $6,704,097.' That 4½ per cent debenture stock was issued for the terminal in British Columbia, and on page 30 of the blue-book it is shown to be worth $8,273,333.33; this stock that they have on hand at the present time is shown to be worth $6,117,588. Pretty nearly all that money represents these terminal securities. If I understand the method of issuing securities in that way, right, terminal securities can hardly be used on the construction work of the road. Surely terminal securities are for the purpose of developing the terminals of the road and not for the actual construction. If we turn to page 16 of the blue-book, we find that on an estimate given there by the engineer of the work that he proposes to carry out, and the amount of money that is necessary to carry out that work, that he puts down the main line from New Westminster to Yellow Head Pass, 245 miles of track not in operation, of this 189 miles have grade completed and no track laid, and 66 miles grade not complete, and under contract. For this the engineer estimates that the amount required is $17,808,827. Hon. gentlemen will notice from that statement that the road is from New Westminster to Yellow Head Pass. There is nothing said in that about going into Vancouver. If I understand that statement aright, it simply means that it brings the road up to the southern side of the Fraser river at New Westminster. The road will have to cross the bridge at New Westmnster, and will have something like eleven miles to go to reach Vancouver. Then there are the terminals to build. There is, according to this statement, no estimate made of what it is going to cost to carry the road into Vancouver, and although they include in these figures all securities that they have in hand and can use for the construction of the road, this amount of $6,117,588, is really issued as terminal securities. When on that point, the estimate given by the engineers on that portion of the road, I would like to draw the attention of the House to a statement that appeared in the News-Advertiser, a paper published in Vancouver, on the 17th January, made by Sir Donald Mann. He said:

> We intend to come into Vancouver over our own tracks. Any rumours to the contrary are absurd. We will enter the city through a three mile tunnel. I cannot say just what route we will decide to come in, as we have three or four alternative routes under consideration. It has been our declared policy to come in over our own tracks, because we think it beneath the dignity of the great Canadian transcontinental line to find entrance to its Pacific terminus in any other way.

He gave denial to the rumour that the company intended to ask the Government for an additional grant of $50,000,000. This appeared in this paper which is supporting the provincial Government in British Columbia, just about the time these gentlemen were applying to the province of British Columbia for an extra subsidy on the line in that part of the country. That part as to the road coming into Vancouver is one that hon. gentleman should give considerable attention to. If, as stated there by Sir Donald Mann, the company is going to build this eleven miles of road into Vancouver, and under their contract they have to make their terminus in Vancouver, the expenditure in building those eleven miles

will be very considerable. According to the statement which I have read to the House I cannot see that there is any provision made there for that work. Therefore, instead of the total amount as given here of $23,647,492 for the completion of the work in British Columbia, I think that the Government, when they come to look into this matter, will find that a very much larger amount of money will be necessary to really complete the road. As I have said before we have no report from the engineers on the condition of this road, or how much work has really been done upon it; we should also know how much work had really been done on this western end of the road in the matter of these terminals. This company went to the city of Vancouver and received from the city of Vancouver very considerable land on the foreshore, for the purpose of their terminals. I have seen various estimates of the worth of this land, and it runs into large figures. I have not those figures here at the present time, they certainly form a very valuable asset, but I have not been able to find that any large amount of work has been done on those terminals in Vancouver, although so much of these terminal bonds have already been floated. The hon. gentleman this morning in talking about the costs of this road stated that the cost of the road would figure out some $40,000 a mile, and he compared this cost with the cost per mile on the National Transcontinental railway, which latter road was placed at a much larger figure. Taking the figures we have in this blue-book, the Mackenzie and Mann Company show that they have spent some $34,760,907.76 on the work of construction in British Columbia already, and adding that to the amount that they propose for the completion of the work $23,647,492, makes a total of $58,408,399. When you divide that by the amount of road which was given in the blue-book, the total amount of the road to be constructed on those figures is given as 679 miles, and that shows that it works out a little over $86,000 a mile as the cost is estimated. So that the figures for that part of the country are very much larger than my hon. friend would let us suppose the cost of the road would be, when taken as a whole. Of course the cost of building the road on the prairie is very much less than in the west and especially through the mountains. But this figure of $86,000 a mile does not appear to me to be very much less than the figure the hon. gentleman gave in connection with the Grand Trunk Pacific. I think I am right in stating that the figure given for the Grand Trunk Pacific construction was somewhere about $87,000 a mile, but as I have already tried to point out to the House the standard of the construction of the Grand Trunk Pacific is very much better and higher than the standard of the construction of this road we are now considering.

Hon. Mr. GORDON—Will my hon. friend permit me to ask him what the required standard of this road is between Montreal and Port Arthur?

Hon. MEMBERS—Order, order.

Hon. Mr. DERBYSHIRE—Go on with the address.

Hon. Mr. GORDON—I have asked permission to ask the hon. member a question.

Hon. Mr. BOSTOCK—Certainly.

Hon. Mr. DERBYSHIRE—I think it will be better for the hon. member to continue, and for the hon. gentleman from Nipissing to make his speech afterwards.

Hon. Mr. GORDON—I would respectfully ask the hon. gentleman what are the grades exacted from the Canadian Northern railway between Montreal and Port Arthur?

Hon. Mr. CASGRAIN—May I answer the question of the hon. gentleman?

Hon. Mr. GORDON—Yes.

Hon. Mr. CASGRAIN—There is absolutely no qualification of standard.

Hon. Mr. GORDON—I beg the hon. gentleman's pardon. If he refers to the statute of 1911 he will find the standard is laid down as five-tenths and six-tenths.

Hon. Mr. BOSTOCK—Over this particular part of the road I am talking about, the arrangement made at the time with the Provincial Government was that the line before mentioned when completed and equipped, shall, in all respects, apart from grades and curvature—the character of the country through which the lines pass shall be taken into consideration —be equal to the standard of the main line of the Canadian Northern railway as constructed between the cities of Winnipeg and Edmonton—as good as that line was when first completed and ready for operation. The company shall efficiently equip such lines of railway and shall then follow the provision in regard to the cars. That was arranged for in the agreement made in 1910 and will be found on page 10

of chapter 3, Statutes of British Columbia of that year.

Hon. Mr. CASGRAIN—There is no restriction as to grades or curves?

Hon. Mr. BOSTOCK—No restriction is made in that case at all. I have been trying to show the position of this line as it appears to me at the present time, and I want to deal with the question from another point of view, in regard to the possibility of this company being able to complete its road with the guarantee now granted. They state on page 10 of the blue-book that the total required to complete the road is $100,379,099. They also state that they have securities coming to them amounting to $58,473,982. They ask the Government to give them this guarantee of $45,000,000, which it is anticipated will provide $41,905,117. That works out to about 93 per cent as the price they expect to get for their bonds. Then when we turn to page 42 of the blue-book we find there is due by the Canadian Northern railway to Mackenzie and Mann the amount of $21,262,527 for work already done on this construction. On the next page of the blue-book, I find there are floating liabilities of $10,408,128, and on turning to page 45, we find there are temporary loans to the extent of $20,703,865. Those temporary loans are secured by securities that have been pledged to the amount of $24,-324,029, so that there is an equity there of $3,620,164. When we take those figures and add them together we find that this liability on completion of the road at the present time amounts to $152,753,619.

Hon. Mr. LOUGHEED—Are you excluding the $21,000,000 from these $100,000,000?

Hon. Mr. BOSTOCK—No, I am including that. Against that we have a total of $124,703,128. That shows a deficit of $28,-050,491. There does not appear to have been any provision made to meet that amount of $28,050,491.

Hon. Mr. LOUGHEED—The temporary loans, amounting to $20,000,000 take care of themselves. There are securities pledged for the payment of those.

Hon. Mr. BOSTOCK—I am taking into account the securities pledged.

Hon. Mr. LOUGHEED—I am not speaking of the $21,000,000 which is floating liabilities and chargeable to construction account.

Hon. Mr. BOSTOCK—I would like to ask my hon. friend in regard to that matter, the meaning of the estimate on page 15, where the figures are given of sub-contractors' accounts, making a total there of $14,954,714.

Hon. Mr. LOUGHEED—That $14,954,714 is included in the $21,000,000 and in the $41,000,000, my hon. friend will see that there is another part of it included; also in the $27,000,000 of rolling stock there is another part of the $21,000,000 so it may be said to be distributed over those three items. That $21,000,000 is chargeable to construction account and is included in the $100,000,000. The other two items take care of themselves, that is the $10,000,000 and $20,000,000, temporary loans and current liabilities.

Hon. Mr. BOSTOCK—How are those temporary loans going to be provided for? We have no means of knowing.

Hon. Mr. LOUGHEED—Yes, if my hon. friend will look on page 45 he will see that there are securities pledged for the payment of those temporary loans. He will find that there is even an equity there of some $3,620,000.

Hon. Mr. BOSTOCK—But I was mentioning the floating liabilities of $10,000,000.

Hon. Mr. LOUGHEED—Those are what we term current liabilities. Those are looked after under covenants given by Mackenzie, Mann and Company, and if my hon. friend would care about it I can mention securities that are reserved to take care of that liability.

Hon. Mr. CASGRAIN—What is the name of those securities?

Hon. Mr. LOUGHEED—For instance, £900,000 of 4 per cent perpetual consolidated debenture stock of par value of $4,380,000.

Hon. Mr. CASGRAIN—Where are they?

Hon. Mr. LOUGHEED—They are authorized to be issued, and they will be issued.

Hon. Mr. CASGRAIN—On what part of the system?

Hon. Mr. LOUGHEED—They are part of the issues already made.

Hon. Mr. YOUNG—Are those securities earned?

Hon. Mr. LOUGHEED—They will be earned.

Hon. Mr. YOUNG—They will be.

Hon. Mr. LOUGHEED—They may be earned already, they are held as collateral to these current liabilities. There is £6,346,-693 of 4 per cent perpetual consolidated debenture stock issued on completed mileages and terminals of the par value of $3,090,012; equity in securities deposited as collateral to temporary loans, $3,620,164—that is the margin I pointed out over and above the temporary loans for which those securities are pledged. Hon. gentlemen will see that to secure that amount of $10,-000,000 of current liabilities there is pledged $11,090,176 as security.

Hon. Mr. CASGRAIN—On what part of the road is that?

Hon. Mr. LOUGHEED—On different parts of the road

Hon. Mr. CASGRAIN—A sort of a blanket mortgage.

Hon. Mr. BOSTOCK—I would like to ask my hon. friend, in regard to that question, if he has any idea what they are going to be able to sell those securities at?

Hon. Mr. LOUGHEED—Those securities may possibly be guaranteed by either this Government or by other Governments.

Hon. Mr. BOSTOCK—I thought the hon. gentleman said they were 4 per cent perpetual debenture stock.

Hon. Mr. LOUGHEED—If my hon. friend will look at page 45 he will find there is a quotation for this 4 per cent perpetual consolidated debenture stock of 84 on the London market in December 1913.

Hon. Mr. BOSTOCK—That is nearly 6 months ago.

Hon. Mr. LOUGHEED—A time when the market was more depressed than it is at present; so that hon. gentleman need have no apprehension as to those two particular items taking care of themselves. Then, furthermore, I would point out to my hon. friend there is provision in the contract by which Mackenzie, Mann and Company pledge themselves to furnish such securities for the liquidation of those two amounts as the Governor in Council may exact.

Hon. Mr. BOSTOCK—But what I think the House wants to find out is how Mackenzie and Mann are going to do this. They might pledge themselves, but they have come to the Government—

Hon. Mr. LOUGHEED—But here are the securities—also there is the distinct covenant in language as strong as the English language can express it.

Hon. Mr. BOSTOCK—In the agreement that has been made in the first part of the Act, Mackenzie and Mann as individuals are purposely left out of the whole arrangement. There does not seem to be any means of getting Sir Wm. Mackenzie and Sir Donald Mann to put their personal security behind it.

Hon. Mr. LOUGHEED—However, there are the securities, and the securities answer more satisfactorily to the requirements than any individuals or corporations.

Hon. Mr. BOSTOCK—Now, hon. gentlemen, I come to another point in my speech —I am afraid I have taken up a great deal of time over this matter, but it is a matter that takes a great deal of time to consider.

Hon. Mr. LOUGHEED—It is worth it.

Hon. Mr. BOSTOCK—That is, with regard to the questions dealt with in clause 15 of the Bill. I think that is a question that is very interesting to hon. gentlemen in this House.

15. The works and undertaking of the following companies are hereby declared to be works for the general advantage of Canada, viz:

The Canadian Northern Manitoba Railway Company.

The Irondale, Bancroft and Ottawa Railway Company.

The Marmora Railway and Mining Company.

The Halifax and South Western Railway Company.

The Quebec and Lake St. John Railway Company.

2. The works and undertaking of the Canadian Northern Western Railway Company are hereby declared to be works for the general advantage of Canada.

3. The works and undertaking of the Canadian Northern Saskatchewan Railway Company are hereby declared to be works for the general advantage of Canada.

4. The works and undertaking of the Canadian Northern Pacific Railway Company are hereby declared to be works for the general advantage of Canada.

5. Subsections, 2, 3 and 4, shall respectively come into force on a day or days to be fixed in each case by proclamation of the Governor in Council in the Canada Gazette but such proclamation shall not in any such case be made until after the Governor in Council shall have declared in each case by Order in Council that the railway and undertaking of such Company has been constructed and is open for operation.

That clause seems to have caused a considerable amount of anxiety to Sir Richard McBride in British Columbia. The other

day in the House of Commons the Premier brought down certain correspondence that had passed between himself and the Hon. Sir Richard McBride. I hope that the House will bear with me while I read that correspondence in order to explain the position of this matter to the House. The first communication is:

Victoria, B.C., May 8, 1914.

Right Hon. R. L. Borden,
Ottawa, Ont.

Have before me copy resolutions Canadian Northern Pacific with regard to rates over line in British Columbia. See provincial statutes nineteen hundred and ten and nineteen hundred and fourteen. Respectfully submit provision be made in Federal Act in order adequately recognize position of province with regard to agreement.

Richard McBride.

To which the Premier sent the following reply on the 9th May.

Ottawa, Ont., May 9, 1914.

Hon. Sir Richard McBride,
Victoria, B.C.

Referring to your telegram of eighth, Dominion aid principally justified by fact that Canadian Northern is a great national transcontinental line. It would be practically impossible to assist unless entire line from Atlantic to Pacific became suject to control of Federal Parliament and Federal Railway Board. We believe that you fully realize this while we also realize our duty to give every consideration that is possible to arrangements made by Pacific Company with your province. Have you any suggestions as to any suitable proviso by way of safeguard. British Columbia statutes, 1914, not available.

R. L. Borden.

Then Mr. McBride replied on the 14th May, 1914, as follows:—

Victoria, B.C., May 14, 1914.

Right Hon. R. L. Borden,
Prime Minister,
Ottawa, Ont.

With reference to your telegram of May 9, am sending you herewith draft of a section which, while not interfering with declaring Canadian Northern railway for general advantage of Canada, would protect province as to agreement of January 18, 1910, paragraph 8, regarding freight and passenger rate, and section six, chapter 3 of 1910 confirming agreement. If British Columbia called upon to pay either principal or interest on our guaranteed bonds, by this last paragraph, we are subrogated as against the companies to all the rights and privileges of the original holders of the bonds if road declared for general advantage of Canada than were province to attempt to put in a receiver owing to our having paid bonds or interest on same. Railway Commission could interfere and our receiver could only then receive any profits arising after administration of road under Railway Commission so that principal assets of province by way of taking possession of the system in this province would be wiped out. There is a precedent for putting in proviso suggested in the legislation passed by the Federal Parliament amending Esquimalt and Nanaimo Railway Act in 1905. Am mailing you copies Canadian Northern Pacific Railway Extension Act and Aid Act, 1914. Suggested proviso as follows:

Provided always that so long as the Crown in right of province of British Columbia remains under any liability as guarantor for payment principal or interest in respect of any securities issued by the Canadian Northern Pacific Railway Company and until the Crown is reimbursed in full in respect of all payments which may be made by the said province by reason of such liability, nothing in this Act shall be deemed or held to in any way supersede, amend or vary the provisions of section 6 of chapter 3 of the statutes of British Columbia, 1910, either as enacted in said chapter 3 or as extended and applied by section 6 of chapter 32 of the statutes of British Columbia, 1912, or supersede, amend or vary the provisions of section 9 of chapter 57 of the statutes of British Columbia, 1913, either as enacted in said chapter 57 or as extended and applied by section 4 of chapter 61 of the statutes of British Columbia, 1914, or supersede, amend or vary the provisions of chapter 59 of the statutes of British Columbia, 1913, or the deed of trust bearing date the 7th day of July, 1913, enacted in pursuance thereof or to affect the respective right and liabilities of the province of British Columbia. The Canadian Northern railway or the Canadian Northern Pacific Railway Company thereunder and the Board of Railway Commissioners for Canada in fixing, amending or approving tolls in respect of Canadian Northern railway shall in as far as relates to traffic over the lines of railway and works comprised within the terms of the British Columbia statutes relating to the Canadian Northern Railway Company, adopt and use only the rates and tolls which may from time to time be fixed under and by virtue of paragraph 8 of the agreement scheduled to the said chapter 3 of the statutes of British Columbia, 1910, and said paragraph 8 shall so long as the Crown in right of the province of British Columbia remains under any liability and until reimbursed in full for all payments by reason thereof as aforesaid, have the same force and effect as and be binding upon the Board of Railway Commissioners for Canada to the same extent as if the said paragraph were incorporated as a provision in the Railway Act of Canada, covering the fixing of rates and tolls over the lines of railway and works comprised within the terms of the British Columbia statutes relating to the Canadian Northern Railway Company.

R. McBride.

To which the following reply was sent:—

Ottawa, Ont., May 16, 1914.

Hon. Sir Richard McBride,
Victoria, B.C.

We feel unable to press legislation unless entire system from Atlantic to Pacific declared work for general advantage of Canada. In our view this declaration coupled with the aid proposed cannot prejudice, but on the other hand materially strengthen position of bondholders and of province of guarantor. Canadian Northern Pacific, under our legislation, becomes part of a great transcontinental system and legislative jurisdiction must be fixed accordingly. Regret that we cannot accept proposed amendment as it practically excludes from control federal Railway Board an important portion of

system on which a large part of the proposed aid will be expended.

R. L. Borden.

On the 18th May, Mr. McBride sends another telegram:—

Victoria, B.C., May 18, 1914.

Right Hon. R. L. Borden,
Prime Minister,
Ottawa, Ont.

Your telegram sixteenth. Object provincial control rates to secure British Columbia fair rates and an opportunity compete for trade in prairie provinces. If in opinion federal Government essential place Canadian Northern Pacific under control Railway Commission would submit some provision be included in legislation contemplated giving special recognition province with regard rates over this line, otherwise, that Dominion take over provincial guarantee.

R. McBride.

Up to that point, Sir Richard McBride apparently wished to put himself in a position of getting rid of the liability that he has placed on the province of British Columbia by guaranteeing bonds of the road to the enormous extent that he has done. Therefore, I do not think that he will be at all satisfied with the arrangements that have now been made. On the 25th of May a reply was sent to Sir Richard McBride, which reads as follows—

Ottawa, May 25, 1914.

Sir Richard McBride,
Victoria, B.C.

Your telegram of 18th carefully considered. Regret that we regard both proposals as impracticable. It is manifest that the position of all Provinces which have guarantee bonds for extension of system is materially strengthened by the proposals now under consideration by Parliament. As a large part of proposed aid must be expended in completion of Canadian Northern Pacific, that portion of system should obviously be declared a work for general advantage of Canada. Unless such a declaration is made, no part of the proposed aid could be so extended.

R. L. Borden.

That shows the view that is taken of this present arrangement by the Premier of British Columbia. The position that he had taken on the occasion when he was advocating the arrangement made with Mackenzie and Mann in 1910 is very greatly interfered with by that. Hon. gentlemen will remember that I read out to the House, not very long ago, a statement of the feeling of the people of Vancouver about this question of the control of rates by the province of British Columbia. In that statement they made the point that they had very seriously pledged the credit of the province of British Columbia in order to assist in the building of this road on the understanding that the province itself was to keep control of the rates. They stated they hoped to be able to make use of this railway company for the purpose of bringing about a reduction of rates on the Canadian Pacific railway between points like Kamloops and Vancouver. Hon. gentlemen will probably know that in the Act of 1910 and in the agreement that formed part of that Act, chapter 3 of the statutes of British Columbia, and clause 17 of the agreement, it was especially provided that the Northern railway and the Canadian Northern Pacific should not declare their road to be a work for the general advantage of Canada. That led the people of British Columbia to think that they were always going to keep the control of the railway in their own hands, and that they would be able to regulate the rates, and bring about, if they wanted to, a reduction in the rates on the Canadian Pacific railway. I might read for the information of the House the last part of paragraph 8 of that same agreement where it is stated:

The Canadian Northern Railway undertakes that it will not, and that the Pacific Company will agree that it will not, bring or promote any appeal to the Railway Commission of Canada from any order made and pursuant to the provisions of this section, and, in the event of any such appeal being brought by others the Northern Company and the Pacific Company will represent to the commission on such appeal, that it is satisfied with the rates the subject of such appeal in so far as they are, or have been, established within the provisions of this section.

So that not only did the Canadian Northern Company and the Canadian Northern Pacific Company agree that they would not ask to have the work be declared to be a work for the general advantage of Canada, but they practically undertook to assist the province in fighting any action of the Railway Commission. Of course this arrangement is all broken up by this Act that the Government have brought in, and the Government have not shown, other than by this correspondence, that they have any other further understanding with the Premier of British Columbia. As I have already pointed out to the House, this matter must have been under consideration for a considerable time, and it would have been a simple question to have brought this before the people of British Columbia, at the last meeting of the legislature and had legislation brought in, if necessary, whereby the province of British Columbia could be made aware of what was

taking place, and could also have put the people of British Columbia in the position of agreeing to this arrangement rather than having it put through this Parliament against their wishes.

Hon. Mr. WATSON—Confiscating the rights of the province.

Hon. Mr. BOSTOCK—The Government, by the way they have dealt with this proposal, will find that in future there will be considerable trouble between the province of British Columbia and the Dominion over this question of taking the control of the rights absolutely out of the hands of British Columbia in this matter. I have endeavoured to place the matter before the House as it appears to me, and I have tried to point out that the aid which it is proposed to grant this company at the present time is not going to be sufficient to complete the road.

Hon. Mr. CASGRAIN—Hear, hear.

Hon. Mr. BOSTOCK—And also that the security the country and the Government are receiving for the guaranteeing of the bonds is not of the kind that would be considered sufficient for making an advance of this kind, or for giving a credit to this extent, by anyone who had given reasonable and proper consideration to the matter. Then further that the country should not have been placed in the position of being made a partner in this railway undertaking, the Government holding a minority of the stock issued in the company. The position that the members of this House are placed in, in regard to this question is anything but a pleasant one, because although, as my hon. friend stated this morning, the Government has been wrestling with this matter for two months or more, this House has only had an opportunity of considering this question for a very short time. They are found in the position where they wish to do the very best they can in the interests of the country, and they find this House placed in a position in regard to this Bill which is a very difficult one to deal with. Should they take any drastic action in regard to this matter the results might be very serious to the country, and the situation pointed out by my hon. friend this morning might possibly be brought about. That is a condition which hon. gentlemen can only form their opinions about; it is one that is very difficult to arrive at a true conclusion, at the same time, on account of the position of the financial markets of the world at the present time, it is very likely that any drastic action taken with regard to this matter might have a very serious effect on this country. Hon. gentlemen on this side of the House recognize the responsibility under which they are placed in this matter, and that their position places them in a very difficult and awkward predicament in dealing with this question. At the same time they object very strongly to the position that the country is placed in; by this arrangement that the Government has made, and it is repugnant to their ideas that this arrangement should have to be cerried out, in the way that it is placed before them to-day. Therefore I desire to move, seconded by the Hon. Mr. Power.

That this House before assenting to the second reading of this Bill desires to express its opinion that the said Bill is adverse to, and does not properly safeguard the true interests of the country, in amongst other respects the following:

That aid in the form provided for in the said Bill implying as it does partnership on the part of Canada with Sir William Mackenzie and Sir Donald Mann may involve the country morally and otherwise in very large additional expenditure, and will in effect bring about the payment by the Government of the outstanding securities of the Canadian Northern system.

The nature of the said partnership is aggravated by the fact that the majority of the stock may be made use of, or disposed of to parties hostile to the best interests of the country.

The sanction by Parliament of an issue of $125,000,000 of watered stock is immoral in its nature, and is aggravated by the fact that the Government is taking two-fifths thereof, and that the people of this country will ultimately be made to provide interest on the whole capitalization and the carrying charges will be increased accordingly.

It does not appear by the said Bill that the additional aid of $45,000,000 will ensure the completion and operation of the Canadian Northern sytsem which is already charged with securities amounting to more than $176,000,000 apart from public aid granted by way of subsidies, land grants, bonds and guaranteed securities exceeding $220,000,000, or in all $396,000,000.

The mortgages and charges to be given to the Government in virtue of said Bill do not constitute a sufficient or reasonable assurance that the Government shall not be called upon to pay the 'guaranteed securities' at maturity.

The Canadian Northern system has remained to this date a personal undertaking of Sir William Mackenzie and Sir Donald Mann, and no provision is made in said Bill for their personally guaranteeing the 'guaranteed securities.'

The said Bill contains no provision preventing the proceeds of the 'guaranteed securities' being applied to the payment of indebtedness of the Canadian Northern system to Sir William Mackenzie and Sir Donald Mann, or to the Mackenzie, Mann Company, Limited, of which they are reputed to be the principal, if not the only members.

Under the said Bill the 'guaranteed securities' are not to be taken into account in making

up the maximum of the mortgage securities which may be issued under the trust deeds referred to in subsection 2 of section 4, and in section 11 of said Bill.

The said Bill contains no provision whereby the 'guaranteed securities' may through subrogation get the benefit of securities held by creditors who may be paid by, or out of the proceeds of such 'guaranteed securities.'

No proper evidence has been given that Sir William Mackenzie or Sir Donald Mann are not directly or indirectly enriching themselves through the building and financing of the Canadian Northern system, or by means of subsidies, land grants or townsites which should have inured to the exclusive benefit of the said system.

Valuable lands which may be used for townsites or other purposes and which have been given to and acquired by the Canadian Northern system and important enterprises connected with the said system are not included in the 'guaranteed securities.'

And this House desires to ascertain whether the Government would not be disposed to facilitate the aid being given on conditions which would not be open to the above mentioned objections.

Hon. Mr. LOUGHEED—Do I understand this to be moved as an amendment to this Bill?

Hon. Mr. BOSTOCK—Yes.

Hon. Mr. LOUGHEED—I certainly take exception to it as being out of order. This is peculiarly a money Bill.

Hon. Mr. DANDURAND—It is an amendment to the motion for the second reading.

Hon. Mr. LOUGHEED—It must be germane to the Bill. Any motion which is made is practically, or substantially, an amendment to the Bill. It cannot be foreign to the Bill.

The SPEAKER—The point of order is raised that this amendment is not germane to the main motion.

Hon. Mr. BEIQUE—I understand that the motion which has been moved is an amendment to the motion for the second reading of the Bill. I find in the proceedings of the House of Lords of England, where we look for our main authority, a case exactly in point, I refer to the proceedings in connection with the Army Regulation Bill, reported in the Lords' Journals, Vol. 103 (1871), page 395, where I find the following:—

Order of the day for the second reading read: Moved that this House, before assenting to the second reading of the Army Regulation Bill, desires to express its opinion that the interposition of the executive during the progress of a measure submitted to Parliament by Her Majesty, in order to attain by the exercise of the prerogative and without the aid of Parliament, the principal object included in that measure, is calculated to depreciate and neutralize the independent action of the Legislature, and is strongly to be condemned; objected to; and, after debate, on question, whether to agree to the said motion, resolved in the affirmative (contents 162, non-contents 82). Motion agreed to.

The motion was objected to and after debate on the question the motion in amendment to the motion for second reading of the Bill was carried. Then, either the same day or next day, the motion for the second reading of the same Bill was moved. An amendment was moved to strike out the word 'now' and insert the words 'six months.' The amendment was withdrawn, the original motion was adopted and the Bill was read a second time and referred to a Committee of the Whole House. It will be seen that the course which is now followed by the hon. leader of the House is exactly in line with the precedent, and that in fact the very wording has been followed. I refer now to May's Parliamentary Practice 9th edition, pages 546-7, where you will find the same doctrine:—

It is also competent to a member who desires to place on record any special reasons for not agreeing to the second reading, or other subsequent stage of a Bill, to move, as an amendment, to the question, a resolution declaratory of some principle adverse to, or differing from the principles, policy, or provisions of the Bill; or expressing opinions as to any circumstances connected with its introduction, or prosecution, or otherwise opposed to its progress; or seeking further information in relation to the Bill by committees, commissioners, the production of papers or other evidence, or, in the Lords, the opinion of the judges. . . . It must be borne in mind, however, that the resolution, if agreed to does not formally arrest the progress of the Bill, the second reading of which may be moved on another occasion.

I have passed over a portion of the citations where other instances are given to the same effect.

I claim, and it cannot be contraverted, that the amendment is in order on the authority of both May and the Lord's Journals, which are exactly in point.

Hon. Sir MACKENZIE BOWELL—I should like to ask the hon. gentleman whether the regulation with which the Lords were dealing had anything to do with a money Bill. I can understand it might have that bearing, if it did not deal with a money Bill?

Hon. Mr. BEIQUE—It will not be contended that this House has not the right to reject a money Bill.

Hon. Sir MACKENZIE BOWELL—Oh, no.

Hon. Mr. BEIQUE—Then if this House has a right to reject a money Bill, this House has a right to assent to the second reading of the Bill. If this House has the right to defeat the Bill, surely it has a right to say, before assenting to the Bill, that the House desires to have such and such information, and desires also to place on record its criticism of the measure. The hon. gentleman has also asked me whether the motion, to which I referred in the Lord's Journal, had for its object the preventing of the passing of the second reading of the Bill. Yes, it had, because it was in exactly the same terms—' Before assenting to the second reading, this House desires to express such and such opinions '—and as the House could have said that they refused to assent to the passing of the Bill——

Hon. Sir MACKENZIE BOWELL—I did not wish to be understood as objecting to the principle laid down in May, but the question I wanted to know was whether it affected a money Bill. If it affected a money Bill, it killed the money Bill.

Hon. Mr. CLORAN—It does not kill it; it holds it up.

Hon. Sir MACKENZIE BOWELL—The Bill now before the House is a money Bill dealing with the modest sum of $45,000,000. I desire to ascertain whether the Army Regulation Bill was the same. The hon. gentleman has said it was not a money Bill. They, therefore, had a right to make the motion, that is my contention.

Hon. Mr. DANDURAND—I may cite the remarks of May on this very case in the House of Lords in 1871. It is to be found in the 11th edition, page 443, where May comments on the decision of the House of Lords under the title of ' Communications between Lords and Commons.' He says:

> In 1871 a Bill having been passed by the Commons for the abolition of purchase in the army, and providing compensation to the officers, which was refused a second reading by the Lords, a royal warrant was issued cancelling former regulations by which the purchase of commissions had been sanctioned. The Lords were thus constrained to reconsider the Bill, in order to secure the pecuniary interests of the officers; but in proceeding with the Bill, they placed on record a condemnation of the issue of the warrant. It became a matter of consideration whether the Commons should be invited to respond to this adverse resolution, but as legislation was not arrested, and the vote of the Lords was without effect upon the policy or political position of ministers, the passing of the Bill was accepted as a sufficient approval of the course adopted, without any retaliatory resolution.

Hon. Mr. BEIQUE.

That is, this resolution will be voted upon and disposed of one way or the other, and when it is disposed of, the motion for second reading will stand or be renewed, and then the Senate will take action upon that motion for second reading by a vote thereon, or other amendments being voted to it, and the Bill will not be removed from the order paper.

Hon. Mr. LOUGHEED—The point of order which I have raised is that the motion cannot be moved as an amendment to this Bill, this being a money Bill.

Hon. Mr. DANDURAND—It is not an amendment to the Bill; it is to the motion for second reading.

Hon. Mr. LOUGHEED—Wherein my hon. friend is in error, is the shape in which it has been done, in the statement that it is an amendment. This is not an amendment; this is an expression of opinion—an opinion which I concede, according to the practice, the Senate may have a right to be interjected between my motion and any action of the House for the second reading. But it takes nothing, it arrests nothing, and consequently I take exception to the form in which it has been moved. If the mover desires to move it as a motion he can do so, but not as an amendment.

Hon. Mr. DANDURAND—There can be two motions at the same time.

Hon. Mr. LOUGHEED—Immediately it is moved as an amendment it becomes practically an amendment to the Bill.

Hon. GENTLEMEN—No, no.

Hon. Mr. LOUGHEED—In looking at the practice cited by my hon. friend, in both cases, it will be found that the motion was not moved as an amendment, it was simply interjected between the motion for second reading, and the pronouncement of the House upon the second reading, as an opinion.

Hon. Mr. POWER—That is just where this comes in.

Hon. Mr. LOUGHEED—Precisely, but what I do take exception to is calling this an amendment. I read the language, ' moved in amendment to the second reading of Bill 214.' What is the motion before the House? The motion before the House is the second reading of this Bill; that is the Bill itself.

Hon. GENTLEMEN—No, no.

Hon. Mr. LOUGHEED—That is the point I take, and this is moved in the shape of an amendment. If the hon. gentlemen choose to move that the House express an opinion upon the Bill they can do so, and I fancy that is the object they have in view. Looking at the authority cited in May it will be found that that is what was done in this case, but in no case has it been called an amendment. May says:

'In 1871 a Bill having been passed by the Commons for the abolition of purchase in the army, and providing compensation to the officers, which was refused a second reading by the Lords, a royal warrant was issued cancelling former regulations by which the purchase of commissions had been sanctioned. The Lords were thus constrained to reconsider the Bill, in order to secure the pecuniary interests of the officers; but in proceeding with the Bill, they placed on record a condemnation of the issue of the warrant. It became a matter for consideration whether the Commons should be invited to respond to this adverse resolution; but as legislation was not arrested, and the vote of the Lords was without effect upon the policy or political position of ministers, the passing of the Bill was accepted as a sufficient approval of the course adopted. without any retaliatory resolution.'

That is what hon. gentlemen are trying to do in this case. They are placing on record a condemnation of the Bill but the motion takes nothing and in no way arrests the Bill. May says:—

It became a matter for consideration whether the Commons should be invited to respond to this adverse resolution, but as legislation was not arrested—

as in this case

—and the vote of the Lords was to that effect upon the policy or political position of ministers, the passing of the Bill was accepted as a sufficient approval of the course adopted without any retaliatory resolution. In 1881 again the Lords condemned the policy of the Government in regard to Afghanistan and the Commons approved of it.

I find, in the citation by my hon. friend, which I presume refers to the case cited by him in 1871, that it is not in the shape of an amendment as in this case, but quite the contrary. It is as follows:—

On the order of the day for the second reading,

Moved that this House, before assenting to the second reading of the Army Regulation Bill desires to express its opinion that the interposition of the executive during the progress of a measure, etc.

Therefore, before this motion is put there should be a substantitive motion in itself, and not an amendment.

Hon. Mr. CLORAN—I fail to see that the hon. leader of the Government has grasped the situation as it ought to be grasped. He simply says that once a motion is made for the second reading of a Bill any proposition to amend it is an amendment to the Bill. That position is not tenable, and as a lawyer he ought to know that. What he is asking this House to do is to put the Bill before the House on the second reading, and when an amendment is proposed or any resolution offered in opposition to that motion it is not an amendment to the Bill. It does not mean to change the Bill. All it means is to put the mover of the second reading on his guard. It does not amend the Bill. Supposing I move the six months' hoist; that would not amend the Bill. That would kill it. Thus, I claim, the hon. leader of the Government does not grasp the situation. We have a right to propose any resolution we please or any amendment we please to motion for second reading, without compromising ourselves. I might move a motion on second reading, and still vote for the Bill. I have a right to do that without stultifying myself in view of the precedents which have been cited here we are perfectly justified in taking the course we are taking. I would like the Speaker to understand we are not amending the Bill. If we were amending the Bill then the leader of the Government would be justified in assuming the attitude that he does, but we are simply amending his motion, which is a motion to put the Bill before the House, which is altogether different.

Hon. Mr. DAVID—I call the attention of the leader of the House to the words used by May, in accordance with he statement made by the hon. gentleman from De Salaberry (Hon. Mr. Beique). May says as follows:

It must be born in mind however that the resolution, if agreed to, does not formally arrest the progress of the Bill, the second reading of which may be moved on another occasion.

The effect of such an amendment is merely to supersede the question for now reading the Bill a second time and the Bill is left in the same position as if the question for now reading the Bill a second time had been simply negative or superseded by the previous question.

Hon. gentlemen will find the word 'amendment' is used by May himself.

Hon. Mr. LOUGHEED—It is not used in the motion.

Hon. Mr. DAVID—It is not an amendment to the Bill but to the motion, in order to suspend the action of the House until the Government has judged proper

to communicate the information called for by the motion. It is a very courteous way to act towards the Government to ask them whether they would acquiesce in the proposition contained in the amendment. I think the Government ought to be grateful to the opposition for adopting such a course, for the present at any rate. He ought to take it as evidence of our disposition to help him to improve his Bill. It continues:—

It is simply superseded by a previous question. The House refuses on that particular day to read the Bill a second time, and gives its reasons for such refusal, but the Bill is not disposed of. It suspends the action of the House.

Hon. Mr. LOUGHEED.—It is a motion.

Hon. Mr. DAVID.—It is an amendment to the motion for the second reading but not an amendment to the Bill.

Hon. Mr. BOWELL.—Supposing this amendment is carried, what will be the effect on the bill?

Hon. Mr. DAVID.—It will remain on the order paper for the second reading. The motion may be renewed at any time.

Hon. Mr. LOUGHEED.—What becomes of your amendment?

Hon. Mr. DAVID.—Our amendment precedes the second reading. We want to inquire into certain things.

Hon. Mr. LOUGHEED.—Then that is a substantive motion.

Hon. Mr. DAVID.—The hon. gentleman has moved a motion. The door is closed to a substantive motion being moved. You must arrest the progress of his motion for the second reading, or assent to it.

Hon. Mr. LOUGHEED.—You do it by a motion suspending the motion which I have moved.

Hon. Mr. POWER.—There are two or three things which we should bear in mind. In the first place, if any matter is brought before the Senate you require the very strongest proof to show that the Senate has not a right to deal with that matter. In this case I think it is perfectly clear that if the Senate, as appears to be the case, thinks that some further information is necessary to be submitted by the Government before proceeding to vote on the second reading, the Senate has a right to get that information, or ask for it at any rate, and have an answer from the Government. I think it is preposterous to say that we are obliged to vote for the second reading without sufficient information, or to throw the bill out. That is the position that the hon. leader of the Government assumes.

Hon. Mr. LOUGHEED.—No, I have not assumed that position.

Hon. Mr. POWER.—The motion made by the hon. gentleman is that the bill be now read the second time. The hon. leader of the opposition did not move an amendment as I understand it; he moved a motion.

Hon. Mr. LOUGHEED.—I concede the right of my hon. friend to move that as a motion.

Hon. Mr. POWER.—That is what he did.

Hon. Mr. LOUGHEED.—No, he moved it as an amendment.

Hon. Mr. POWER.—As I understand, at the suggestion of his honour the Speaker, the leader of the opposition put his motion in the form of an amendment.

Hon. Mr. LOUGHEED.—Then I say with all deference he was wrong.

Hon. Mr. POWER—I contend that even as an amendment it is a proper motion. Supposing that instead of moving as he did, the leader of the Opposition had moved an amendment to the motion for the second reading that the Bill be referred to the committee on Railways, Telegraphs and Harbours; that would not be looked upon as rejecting the Bill. The Senate has just as good a right to say that the Government should submit certain other information as to refer the Bill to a committee in order that we may get the information there. Any attempt to restrict the powers of the Senate in that way is not the right attitude for a member of the Senate to take, and it is unparliamentary. The precedent cited by the hon. member from De Salaberry (Hon. Mr. Beique) is perfectly in point. It shows that the House of Lords, in a case which is almost on all fours with this, postponed the second reading until certain information was submitted.

The SPEAKER—The motion moved by the leader of the House is that this Bill be now read a second time. The amendment—why not use the word amendment—is that it be not now read a second time, but that such a thing be declared. I refer to Bourinot page 647:

The principle of a Bill is usually debated at its second reading. The Commons have no rule

on the subject, but the practice of the House is always to discuss the principle of a Bill at this stage. Any member may propose as an amendment a resolution declaratory of some principle adverse to, or different from, the principles, policies, or provisions of the Bill, or express opinions as to any circumstances connected with its introduction, or prosecution, or otherwise opposed to its progress or seeking further information in relation to the Bill by commissioners, production of papers, or other changes, or opinion of judges.

I am of opinion that any member of this House may propose as an amendment the declaratory principles which are involved in the amendment now submitted. That was done, if I remember correctly, in 1911 when the Act extending Manitoba's boundaries came up. A resolution was moved by my hon. friend from New Brunswick (Hon. Mr. Costigan) on the motion for the second reading of the Bill declaring that the second reading should be permitted, on the condition that it was understood the rights of the minority would be protected. That declaration was accepted and the question at that time was discussed in this House—that is, the power of the House, on a motion that the Bill be read a second time, to make a declaration of principle. I think the point is not well taken.

Hon. Mr. BEIQUE—The object of the motion which has been moved in amendment to the main motion is to draw attention to defects in the Bill and to invite the Government to declare whether they would not be disposed to facilitate the removal of those objections. I propose, in as few words as possible, to direct my remarks to that portion of the amendment; but at the outset I desire to say that, in my humble opinion, this is a question which should not be approached in any party spirit, but should be approached on the merits of the measure. My principle reason for taking that position is that I am sincerely convinced that both parties share the responsibility for the condition of things which has made it necessary to bring this measure before Parliament. When I say both parties I do not refer only to parties in this Parliament, but I refer to both parties in the Dominion at large, because both parties, Liberal and Conservative—and Conservative Governments more than Liberal Governments in the Provincial legislatures—have been parties to subsidizing this enterprise to the enormous figure that has been placed before us. When the knowledge came to this hon. House and to the country that about $400,000,000 was already involved in this enterprise, it will be admitted that it came as a shock to public opinion. Up to that moment nobody realized, and I must confess that for my part I never dreamed, that any figure of that kind had been reached. People knew that the Canadian Northern railway had been subsidized by different legislatures and, to a certain extent, by the Dominion Parliament, but the enormous figure of $400,000,000 was never made public. When those figures were placed before the House of Commons a few weeks ago, I say, it was received by public opinion with a shock.

Some Hon. GENTLEMAN—Hear, hear.

Hon. Mr. BEIQUE—To my mind, this is the most important question which has engaged the attention of Parliament since confederation, not because of the $45,000,000 mentioned in this Bill, not because the passing of this Bill will entail, as I am convinced it will, additional aid in future years, which may mean $100,000,000, $150,000,000 or $200,000,000, but because what has taken place is of a nature to affect, and very seriously affect our national credit and the honour of our parliamentary institutions. What has been the result of the disclosures which have been made before the country, and of the speeches delivered in the House of Commons? They have created a very strong opinion in the country—I do not say whether the opinion is right or wrong—that Messrs. Mackenzie and Mann had benefited through the Canadian Northern and enriched themselves at the expense of the country.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. BEIQUE—And it has created this other opinion: That either the Dominion Parliament and the legislatures of several provinces have been parties to that, or they had been fooled by Messrs. Mackenzie and Mann. The prevalence of this opinion is of a nature to very seriously affect the credit of this country, to destroy the confidence which capitalists in England or elsewhere should have in our parliamentary institutions, and in our ability to resist and discountenance any attempt of that kind. In the interest of the country, as well as in the interest of Messrs. Mackenzie and Mann, and of the whole enterprise, the question should not be settled without having a complete and public inquiry made, and I call the attention of the Government and of the country to the necessity of that inquiry being made as soon as it can properly take place. Messrs. Mackenzie &

Mann and the Government—and when I say the Government I mean the Dominion as well as Provincial Governments—cannot remain under any such cloud, and should not be satisfied until the very strong suspicion to which I have referred has been removed from the minds of the people in this country and the people abroad. I may be answered that the Government did make that inquiry. It is true the Government made a certain inquiry, but this inquiry was not sufficient to satisfy the country. It was not only insufficient to satisfy the country, but it should not have been sufficient in its nature, to satisfy the Government itself. What is involved in this question? One of the main things involved is as to whether Mackenzie & Mann—or the Mackenzie & Mann Co.—have awarded contracts to themselves as directors in the Canadian Northern railway, and directors of different constituent and subsidiary companies either in the name of Sir Wm. Mackenzie or Sir Donald Mann or the Mackenzie & Mann Co., Ltd. Another thing involved is as to whether these contracts have been made at proper figures, and without any rakeoff, and this involves not only the figures that have been placed before this hon. House, not only the inquiry that has been made by the Government, but it involves ascertaining whether there is, in the construction as its stands, value representing the money which it is claimed has been expended on the road, and which was contributed in the form of land grants, or subsidies, or by the sale of securities in England or elsewhere. I say that the business men of the country will not be satisfied, unless an inquiry of that kind is made, and, without intending to be offensive to Sir Wm. Mackenzie or to Sir Donald Mann, I claim that it is in their interests, as it is in the interests of the Government and the country at large, to have a searching investigation. If I were in their place I would be the first man to demand an inquiry. The Bill before us deals with the enterprise in a very exceptional manner. Heretofore, either in Canada or in the United States, whenever large enterprises of that kind, and even much smaller enterprises, have been undertaken, they have been undertaken not by one or two individuals, but by the public. The public has been invited at the outset to become, so to speak, partners, to subscribe for stock and interest themselves in the project. Take any of the continental roads in America, whether it be the Great Northern, or the Canadian Pacific, the stock was not kept in the pocket, or in the safe-deposit vault of one or three, or half a dozen individuals, but was distributed to investors in the country, and foreign capitalists,—and with what result? The consequence was that capitalists in general were interested in the success of the enterprise. Here, for one reason or another, we have a great continental road, comprising, I think now, over ten thousand miles, which, to this day, has been the personal enterprise of two gentlemen. It is known that they not only control, but that they own almost all the stock, not only of the parent company, but of the constituent and subsidiary companies, so that this momentous enterprise has been conducted by their own personal efforts, and for their own personal benefit. The public, except through the purchase of securities, has not been called upon to take any interest in it, and there has been no distribution of the stock. This creates the condition of affairs, with which we have to deal—an enterprise, which is the enterprise of individuals,—and the question arises as to whether Parliament, if necessary, should be compelled, not only to come to the rescue of the railway itself, but to come also to the rescue of Sir Wm. Mackenzie and Sir Donald Mann, who are the owners, so to speak, of the enterprises. The country is prepared to assist the railway company, and to make whatever sacrifice is necessary to prevent that road, or these different roads, from being thrown into the hands of receivers, and their construction arrested, but it is not fair to ask the country to come to the rescue of individuals, whether as railway contractors or not, and to open the door to their profiting personally by the help which may be extended to the enterprise.

It being six o'clock the Speaker left the Chair.

After recess.

Hon. Mr. BEIQUE resumed, he said:—Before taking up seriatim the objectionable features of the Bill I desire to ask again the question—to whom should aid be given in this matter? Will anybody pretend that the country should come to the rescue of the parties in interest, because they have made advances towards the building of the enterprise? I am quite sure that nobody will go to the extent of advocating anything of the kind. Messrs. Mackenzie and Mann have carried on this enterprise with the expectation of deriving a large return from

it. They were perfectly justified in doing so, but they had to take the risk of failure, just as people who enter into other ventures have to do. Whether their enterprise has been a success or not, it will be admitted that they have individually no claim upon the country for relief. The relief should be confined to the enterprise itself, for the credit of the country, and for the sole purpose of ensuring its completion and preventing it from going into the hands of a receiver. I insist upon that point, because it will be found, when I take up the objections one by one, if the principle which I am now enunciating is admitted—and it cannot be denied—that the objections are unanswerable. Now the most improvident and objectionable feature in the Bill, I submit, is the fact that it seeks to create a kind of partnership between this country and Sir William Mackenzie, Sir Donald Mann, and other parties interested in the road. This is aggravated by the fact that the majority of the stock is left in the hands of parties who to-morrow may be hostile to the interests of this country.

I say that the most objectionable feature is to be found in the fact that the country is to become a kind of partner with the Canadian Northern railway. What is to be the consequence of that? The security holders, and even all the local legislatures will look to the Dominion of Canada, as an interested party to the extent of two-fifths —it would be the same thing if it were one-half—to advance the money necessary not only to complete the road but to keep it in operation. It is admitted in the printed book that it will require over 100 million dollars to complete the road, but is there a business man in this country who believes that really the road, in its present condition, partly built as it is, will be completed by the expenditure of that amount? Nobody can be made to believe that. It will take a much larger sum than that, and we may expect successive calls on this Parliament for additional aid. Take the road as built, in three or four or five years, it will be in competition with the Canadian Pacific railway, a road on which, within the last few years, over two hundred millions have been expended for the purpose of improvement, and the purpose of making it almost impossible for either the Canadian Northern railway or the Grand Trunk Pacific to compete with them. Will anybody pretend that the Canadian Northern railway can be operated at a profit? No, for years there will be deficit after deficit, and the Government of Canada will be called upon to pay these deficits, because of its partnership in the enterprise to which I have called attention. Any business man would have expected that if the Government were prepared to go to the extent of owning two-fifths of the enterprise, they would have gone to the extent of either taking a majority of the stock, or of placing enough of the remainder of the stock in escrow, in order to avoid being placed in a false position. Suppose this Bill were to become law, the next day Sir William Mackenzie and Sir Donald Mann might transfer the majority of the stock to United States people operating or controlling a hostile railway. In that event this Government would stand holding only two-fifths in that enterprise? Would they not feel that they had taken a false step and placed the country in a false position? Another very objectionable feature of the Bill is to be found in the fact that the Parliament of Canada is giving its sanction to the issue of one hundred and twenty five million, dollars watered stock. It is without precedent in Canada, without precedent in the United States and, I say without fear of contradiction, it is without precedent in any country in the world that the Government should give its sanction, its written authorization by an Act of Parliament, to an issue of watered stock to the extent of $125,000,000. Nobody can suggest that the road is worth the $400,000,000 that is supposed to have been expended upon it, and therefore it is undeniable that the $125,000,000 is nothing but watered stock, and this is aggravated by the fact that the Government is taking two-fifths of that watered stock. I am satisfied that upon that point as well as upon the point of taking a partnership in the road, the Cabinet cannot have been a unit. Each of these features is too objectionable to be countenanced by business people. I would be willing to submit the matter to a hundred business men in the country, irrespective of their politics, and am satisfied that 90, or more of them would condemn those two features of the Bill.

Let us consider for a moment the nature of the securities taken by the Government. I do not attach the same importance to that as to the points with which I have just dealt. These are merely questions of money, not questions of principle, and have not the same importance; but they are important from the fact that we are dealing with a very large sum of money, and that the security is altogether insufficient. Nobody would pretend that a business man would make an advance of $45,000,000 on the second, third

or fourth mortgages mentioned in the Bill. It was the duty of the Government to see that all assets pertaining to the enterprise, or accessories to the enterprise, should have been brought in as part of the assets guaranteeing the $45,000,000 of security. But such is not the case. It is admitted that there are valuable assets—whether in lands, in townsites, or in other things—that are left out, and I say the Government cannot justify that. But we have more than that. We have the fact that under this Bill—I refer specially to subclause 2 of clause 4 and to clause 11 of the Bill—it is stated that the security is to guarantee not only the present charges on the road and the subsidiary companies, but is to rank after the charges which may hereafter be issued on those assets, in virtue of the different trust deeds to which reference is made in those two sections.

What is the consequence of these clauses? It is this, that under the trust deeds the Canadian Northern, as well as each of the constituent and subsidiary companies, have reserved the power to issue further securities, limiting the amount in some cases to some $15,000 per mile but there is a large amount of those securities which have not yet been issued and which may be issued from time to time. Now it is quite reasonable and according to custom to provide for the issuing of further securities, as was done in these trust deeds, and I am not taking issue to the form of the trust deeds, but I ask, why should not the $45,000,000, which is advanced for the purpose of that road, form part of the maximum amount to be issued, whether it is $15,000 or $20,000 per mile? Why should it not form part of the maximum amount of securities to be issued under those trust deeds, and therefore rank pari passu with the other securities, as was provided in those trust deeds? Can anybody offer a sensible reason why that should not be done? If it is claimed that the Government is coming to the rescue of this enterprise because the market is not easy, and the credit of enterprises has been affected, and the bonds cannot be easily floated on the English market; that may be a reason for taking the bonds or for guaranteeing the bonds, in order that they may be negotiated; but is there any reason why the Government should not take the same rank as others, the same rank as is provided for in those different Trust deeds? Well, the Government is not doing so; under this Bill the Government, will allow the Canadian Northern, and each of the Companies concerned, to exhaust from year to year their full bonding power, and will rank only after that power has been exhausted. Now, that is not reasonable; it is not businesslike. As I have already stated, it may be advisable, and for my part I believe that it is advisable, to come to the rescue of the enterprise; but it is not advisable to come to the rescue of any private individuals, because they are interested in the company. The $45,000,000, should go towards the completion of the roads, or towards the payment to the contractors for work done on the road, or to pay for supplies furnished for the enterprise; but I am not willing that the parties in interest, should be comprised in the list of those who are to be helped, or that any claim of theirs against the road should be paid by the Government. The country is not concerned with the parties in interest, because they could fail to-morrow and it would not affect the credit of the enterprise.

Hon. Mr. CASGRAIN.—Hear, hear.

Hon. Mr. BEIQUE.—It would not affect the credit of the road at all.

Hon. Mr. CASGRAIN.—Hear hear.

Hon. Mr. BEIQUE—It would not create any disturbance in the country.

Hon. Mr. CASGRAIN—Hear, hear.

Hon. Mr. BEIQUE—And therefore there is no justification for giving any portion of the $45,000,000 for the payment of any claims that they may have. I say further that it is the duty of the Government, in coming to the help of the enterprise, not only to take the rank of the security holders that are mentioned, but also, when paying any of the banks or any of the creditors holding claims against that company, to be subrogated to all the rights and securities of these creditors; there is nothing in the Bill to that effect. I have exhausted, in a very summary way, but by substantial argument, the several propositions which are embodied in the motion before the Hon. House, and I am confident that anybody who will approach this question as a business man, and without any party bias, will come to the conclusion that every objection mentioned in the motion of the leader of the opposition is unanswerable and it is the duty of the Government to pay considerable attention to the views to which attention has been called.

Hon. Mr. DEBOUCHERVILLE—I rise to a question of order. The hon. the leader

of the opposition gave us, fortunately or unfortunately, a very good speech on this question.

Hon. Mr. DANDURAND—Fortunately.

Hon. Mr. DEBOUCHERVILLE—I said 'fortunately or unfortunately.' The hon. member after making a speech concluded with the motion which is before us. He commenced his motion with a preamble which he might have stated verbally, but which he ought not to have put in his motion. I merely call attention to this fact, and I refer to Rule 27 which says:—

No motion prefaced by a preamble is received by the Senate.

The SPEAKER (Hon. Mr. Bolduc)—The hon. gentleman is in error. The point of order has already been raised, and it has been ruled by the Speaker that it was not well taken.

Hon. Mr. DEBOUCHERVILLE—This is a new point of order which I have a right to raise.

The SPEAKER (Hon. Mr. Bolduc)—I do not deny that the hon. gentleman has the right to raise a point of order, but I believe it is similar to the one which was disposed of, and consequently I declare the point of order not well taken.

Hon. Mr. DANDURAND—Is there no answer from any hon. gentleman in this House to the resolution proposed in the amendment to the second reading.

Hon. Mr. LOUGHEED—It is not necessary as yet.

Hon. Mr. DANDURAND—I would like to emphasize one point made by the hon. gentleman from De Salaberry (Hon. Mr. Beique), who well said that the situation presented by this Bill was exceptional and unheard of, even beyond the boundaries of this country. We have two Canadians who started to build a railway with the help of provincial and federal Governments, and who push it along, adding one section to another, until they reach the point when they have in sight a whole transcontinental line. They are the company, and they are the contractors. No tenders are called, and no control is had on the contractors by the company, because the company and the contractors are one and the same persons. If help had been granted these gentlemen in the ordinary form, according to the traditional subsidies and guarantees that are volunteered by the provincial and federal governments to railway companies, I quite realize that the public would not be specially interested in the management provided the help so given brought about the result sought—that is the building and operation of the railways. But when two private individuals come to Parliament after having been thus helped, and having just built, as contractors, a railway, or part of a railway, and apply to Parliament for further help to continue and complete their venture—and state that if $15,000,000 is given them they will be able to perfect their system and give to the country what the country expected to receive for the assistance already rendered, namely, a railway fully equipped and ready to be operated—when these same gentlemen less than twelve months later come back to Parliament and say that the $15,000,000 granted last session was insufficient and ask for $45,000,000 more under the form of a guarantee; when high railway authorities venture the opinion that the $45,000,000 will be quite insufficient to complete the road, and that fifty and perhaps one hundred millions more will be needed—is it to be wondered at that the people not only express surprise, but say it is time they should know where all the money raised by those gentlemen under the endorsation of their governments has gone? Who can affirm that there has been any satisfactory kind of control over the expenditure of those vast amounts of money; the people are now called upon to assume a further liability of $45,000,000, and they are rightly interested to know what has become of the moneys that have been already voted, and to find out if this money has been duly expended on the services for which it was asked. It has been suggested in the press that a more serious and extensive inquiry should be held by Parliament into the expenditure of the money which it has already voted. The hon. gentleman from De Salaberry has urged upon the Government and Parliament, in the interest of these gentlemen themselves, to start such an inquiry, either this session, or at another session, in order to satisfy the public that it has had a fair deal. I say 'this session or at another session,' because I am afraid that we shall have occasion again to discuss the question of the building of the Canadian Northern Railway system, when we are face to face with a situation resembling very much the one we are facing now. It is quite a legitimate desire for the ratepayers to be assured that the moneys which have passed through the hands of these gentlemen have gone into

the construction of this railway system; it seems to me there is a very easy way to satisfy the public and Parliament, and I am at a loss to understand why this way has not been followed by the owners and contractors of these railways. If the proposed contract which is before us had simply two signatures added to it, those suspicions would disappear, and the atmosphere would be quite clear. If those gentlemen had given their endorsation to those securities, I feel convinced that all inquiries would cease, because the country would feel that if they had, through the construction of these railways, made any personal gain, their signature would engage all their resources, and would prove their faith in the venture. The failure of those gentlemen to do what the original members of the board of directors of the Canadian Pacific railway did in backing with their money and their signatures at the banks the credit of the company, leaves the country in doubt as to the operations of this singular organization.

The members were called in and the Senate divided on the amendment, which was agreed to on the following vote:

CONTENTS.

The Honourable Messieurs

Béique,	Kerr,
Beith,	King,
Bostock,	Lavergne,
Casgrain,	Legris,
Costigan,	McHugh,
Dandurand,	Mitchell,
David,	Power,
Dessaulles,	Prowse,
De Veber,	Roche,
Douglas,	Ratz,
Farrell,	Ross (Moosejaw),
Fiset,	Talbot,
Forget,	Thibeaudeau,
Frost,	Thompson,
Gillmor,	Watson,
Godbout,	Yeo,
Jaffray,	Young.—34.

NON-CONTENTS.

The Honourable Messieurs

Baird,	La Rivière,
Bolduc,	Lougheed,
Boucherville, de,	Mason,
Bowell (Sir Mackenzie),	McCall,
Corby,	McKay (Cape Breton),
Curry,	Montplaisir,
Daniel,	Murphy,
Donnelly,	Pope,
Girroir,	Ross (Middleton),
Gordon,	Smith,
Jones (Sir Melvin),	Thorne.—22.

Hon. Mr. LOUGHEED—I beg to move, seconded by Hon. Mr. Ross (Middleton) that Bill 214, being an Act respecting the Canadian Northern Railway System be placed upon the Order Paper for the second reading on Monday next at the first sitting.

The motion agreed to.

CANADA SHIPPING ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (223), An Act to amend Part X of the Canada Shipping Act.

He said: In moving the second reading of this Bill I may say the object is to make provision for the appointment of a commission to make an investigation into the recent calamity which took place upon the St. Lawrence route. The present shipping Act is not sufficiently wide or comprehensive to allow for a Commission being appointed such as that which is desirable in view of the very important circumstances towards which the inquiry will be directed. I may say that the Empress of Ireland which was lost in the recent catastrophe was a British registered ship, and being such the Imperial authorities necessarily had to take note of the loss which occurred to the vessel. They have communicated with this Government with reference to the investigation which should take place, and instead of the Imperial authorities conducting an investigation in England, which otherwise would have taken place, it has been considered desirable that both Governments should be represented in the investigation, and which will take place in Canada. Consequently the Government has already intimated to the Imperial authorities the step which they propose taking, enlarging the legislation at present upon the statute book to permit of certain representatives from England appearing upon the commission. I think this will appeal not only to the people of Canada but to the people of Great Britain and will ensure an investigation taking place that will be in the public interest.

Hon. Mr. BOSTOCK—The House will agree that this is a step in the right direction, that the Government has acted wisely in arranging that only one inquiry—and that an inquiry on this side of the water—shall be held with representatives from Great Britain who have had possibly a great deal more experience in these questions than gentlemen on this side of the water, in conducting an inquiry of this kind. The country was shocked the other day when they heard of the terrible accident which had happened to the 'Empress of Ireland' so soon after leaving port, and

everybody will be agreed that no steps should be left untaken which will help to place the conditions of navigation in the St. Lawrence on a better footing than they appear to be at the present time, when such a serious and terrible accident as that which has just occurred can happen. It is a very good thing indeed that a commission of gentlemen on both sides of the water has been arranged for. I hope when we will go into Committee the hon. gentleman will be able to give us the names of the gentlemen who have been appointed from the other side.

Hon. Mr MURPHY—While this subject is before the House, I wish to bring the attention of the Senate to serious fatalities which happened in one of the eastern provinces. We have down in the Maritime Provinces, in the coal carrying trade, schooners which have done service for twenty or thirty years, and which have become unfit for seafaring traffic. One schooner swamped off Cape Traverse a short time ago, entailing the loss of four lives. That vessel had been in service thirty years. The other vessel swamped outside of Charlottetown harbour under similar conditions. It is within my own knowledge, and also within the knowledge of those interested in that business, that there must be numerous other vessels in a similar condition, and it seems to me that steps should be taken to safeguard the interests of those poor fellows who are sent down to the sea in ships of this character around New Brunswick, Prince Edward Island and Nova Scotia. It is time now, after this terrible fatality, to take this matter into serious consideration.

The motion was agreed to, and the Bill was read the second time.

MONTREAL HARBOUR COMMISSIONERS BILL.

SECOND READING.

Hon. Mr. Lougheed moved the second reading of Bill (221), an Act to amend the Montreal Harbour Commissioners Act.

Hon. Mr. CASGRAIN—Will the hon. gentleman explain this?

Hon. Mr. LOUGHEED—The Bill deals with the question of taxation of the harbour commissioners' property by the city of Montreal. It was the intention to prevent the property being liable for assessment. It is to all intents and purposes Government property, and if the property had been vested in the Crown, of course it would have been exempt from taxation.

Hon. Mr. CASGRAIN—It is a very serious question for the city of Montreal and I understand there is a great deal of discussion on the subject. The property has always been vested in the Crown. I have often acted myself in establishing the boundary between the Government property and the riparian proprietor.

Hon. Mr. THOMPSON—Did the city of Montreal ever collect taxes on this property?

Hon. Mr. DANDURAND—There has been an attempt on the part of the city authorities to collect taxes on it. I would not like to give the case of the city away, though whatever remarks I might make would not alter their rights if they had any claim after this Bill was passed. I suppose the citizens of Montreal can stand the loss of the taxes which they will fail to collect henceforth. In our good city we do not need to increase the taxes. For a number of years it was supposed that we had paid the same taxes yearly. The city authorities only need to increase the valuation to increase the taxes.

Hon. Mr. POWER—This Bill provides that not only shall the property, wharves, warehouse buildings and other works and improvements be vested in His Majesty but they shall be deemed to have been so vested since the first of July, 1867. Perhaps there are no rights affected by that, but it seems to me the saving clause at the end of the Bill might be extended. It is :—

> Provided that such surrender, transfer or conveyance shall not be deemed to affect the jurisdiction or powers or control and management of the corporation.

The corporation is the harbour commissioners. If there are any questions in litigation I do not think that these should be affected. It should not go to make illegal something that had been done under the existing arrangements. I only suggest that it might be worthy of consideration.

Hon. Mr. LOUGHEED—I feel that I am justified in saying that this is only declaratory of what has always been the law. It can in no wise affect pending litigation. The interests of the Crown and the interests of the harbour commissioners are such as not to lead to any repudiation of any legal right or obligation which might have arisen.

Hon. Mr. DANDURAND—I am quite convinced that there has been no litigation.

There is a threat made by the city of Montreal of collecting, that is all.

The motion was agreed to and the Bill was read the second time.

The Senate adjourned until to-morrow at 11 A.M.

THE SENATE.

Saturday, June 6, 1914.

The SPEAKER took the Chair at Eleven o'clock.

Prayers and routine proceedings.

CANADIAN NORTHERN RAILWAY GUARANTEE BILL.

INQUIRIES.

Hon. Mr. BEIQUE inquired:

1. Has the Government noticed that in the Bill No. 214, intituled 'An Act respecting the Canadian Northern Railway System,' there is no provision whereby the 'guaranteed securities' may get through subrogation the benefit of securities held by creditors who may be paid by or out of the proceeds of such 'guaranteed securities.'

2. Is it the intention of the Government to cure the omission above referred to?

Hon. Mr. LOUGHEED—The answers are as follows:

1. Yes.
2. No.

Hon. Mr. BEIQUE inquired:

1. Has the Government noticed that under the trusts deeds referred to in subsection 2 of section 4, and in section 11 of the Bill No. 214, intituled, 'An Act respecting the Canadian Northern Railway System,' the maximum amount to which mortgaged securities may be issued is mentioned, and that under the wording of said sections and subsection mortgaged securities may be issued to such maximum amount irrespective of and without the 'guaranteed securities' being taken into account in making up such maximum amounts.

2. Is it the intention of the Government to cure the omission above referred to?

Hon. Mr. LOUGHEED—The Government is aware that certain securities may be issued in the future which would rank prior to the 'guaranteed securities' on certain assets, but the security given for the 'guaranteed securities' would not be weakened thereby as new properties to the full amount if not a greater amount would be acquired and come under the 'guaranteed securities.'

2. Answered by No. 1.

Hon. Mr. KERR rose to inquire:

1. What amount of bonds and what amount of stock had the Great Northern railway of Canada outstanding at the time it became a portion of the Canadian Northern Quebec Railway Company?

2. When, to whom, and in what amounts had the said bonds or stock been issued and what was the consideration paid or to be paid therefor?

3. Were the said bonds or stock subsequently acquired in the interest of the Canadian Northern Quebec Railway Company, and if so, when and by whom was the consideration given or paid for said bonds or stock?

4. Is the Government aware that, when the first issue of the Canadian Northern Quebec Railway Company 4 per cent debenture stock guaranteed by the Canadian Northern Railway Company was made, the prospectus contained a clause stating that the holders of the bonds of the Great Northern Railway Company of Canada had agreed to surrender their bonds at par, and that a portion of the proceeds of the issue of debenture stock would be utilized for the purpose of acquiring such bonds?

5. What portion of the bonds was so acquired? What was the consideration paid therefor, and to what corporation or person did such consideration go?

6. In the statement respecting the Canadian Northern Railway Company (page 32 of the printed documents) relative to the Government guarantee of the bonds of the Canadian Northern railway Great Northern Railway bonds guaranteed as to principal and interest are stated to be outstanding to the amount of $3,505,751. When and through what agency were these bonds disposed of, and are these bonds in the hand of the public, or are they or any of them held by or for Sir William Mackenzie and Sir Donald Mann, or either of them, or other person by or through them, or by any interest associated with them either as owners or as security or otherwise?

Hon. Mr. LOUGHEED—I cannot assure my hon. friend that this information will be forthcoming for some days.

Hon. Mr. KERR—It is pertinent to the question which is pending, and is likely to be discussed. It is important that we should have this information in order that we may be able to appreciate exactly what is proposed. I hope it will be procured in time for the consideration of the question.

The inquiry was allowed to stand.

SALISBURY AND HARVEY RAILWAY.

INQUIRY.

Hon. Mr. THIBAUDEAU, in the absence of Hon. Mr. Domville, rose to ask the leader of the Government to have for him at an early day, a copy of that part of the report made by Messrs. Bowden, Tiffin and Story, during the autumn of 1908, relating to the Salisbury and Harvey railway, embodied in Sessional Papers Nos. 67, 68, 69 Edward VII?

Hon. Mr. LOUGHEED—That will have to be changed into an order so that the papers may be brought down.

The inquiry was changed into a motion, which was agreed to.

DELAYED RETURNS.

Hon. Mr. CASGRAIN—I would direct the attention of the leader of the Government to the fact that an order of this House was issued on the 13th of last month asking for documents in connection with the building of a railway station on the site of the Champlain market in Quebec, a matter pending since September, 1911. I have been very patiently waiting for this return, and have asked the officials of the Senate why it has not been produced. The return must necessarily be short, and the Government should not refuse the information. I know it is a vexed question, but we should have the documents called for. I intend every day until the end of the session to ask when the order will be complied with. It is a burning question in Quebec; the people want to know whether the station is to be erected there or not.

NATURALIZATION AND ALIENS ACT.

SECOND READING AND IN COMMITTEE.

Hon. Mr. LOUGHEED moved the second reading of Bill (175), An Act respecting British Nationality, Naturalization and Aliens.

He said: I shall make a short explanation as to the object of this measure. It is to provide the necessary legislation under the agreement between the Imperial Government and the Governments of the other British Dominions, to bring about an empire wide naturalization. The agreement is the result of negotiations that have been conducted for some years between the Imperial authorities and the various colonies belonging to the empire. The first part of the Bill deals with the definition of natural-born British subjects and reproduces much of what is the existing law, with this one important change: that while a person born out of the realm, whose father or grandfather was a British subject under the existing law, is a natural-born British subject. Under the present law natural-born citizenship will be confined to those whose fathers are British subjects. It will be narrowed to that extent.

Hon. Mr. POWER—The present law is grandfather.

Hon. Mr. LOUGHEED—Yes. The next part of the Bill deals with naturalization, prescribing the conditions of naturalization, which differ in several respects from the existing legislation, and these changes are the result, as I have already said, of negotiations extending over several years between the Imperial authorities and the Governments of the self-governing dominions. The Imperial Act upon which this Bill is based is to be effective throughout the empire, but it is not to be effective within any of the self-governing dominions until adopted by the legislature of those dominions, or of any dominion which may choose to adopt it. Any dominion adopting the Act has power to issue certificates of naturalization, which will have the same effect as certificates issued by the Imperial Secretary of State.

Hon. Mr. THOMPSON—We are now, by this legislation, adopting the English recommendation in respect of the naturalization proposition.

Hon. Mr. LOUGHEED—Yes, in fact it assimilates our legislation to the Imperial legislation upon the subject. So that a naturalized British subject within the Dominion of Canada would be a naturalized British subject throughout the whole of the empire: that is, provided Canada should accept the legislation adopted by the Imperial Parliament. This will be effective throughout the empire generally. The principal changes that will be made in the law are that a residence of five years will be necessary instead of three years as at present. It will also be necessary to have an adequate knowledge of one of the official languages of the country. I stated the other day in connection with this five years that the Government proposed to amend the Dominion Lands Act so that, in spite of this change in law, holders of homesteads will be still able to get their letters patent at the end of three years.

Hon. Mr. WATSON—But cannot vote.

Hon. Mr. LOUGHEED—No, not until they become British subjects.

Hon. Mr. CLORAN—Is five years not too long?

Hon. Mr. LOUGHEED—The certificates of naturalization are to be issued by the Secretary of State, and not directly through the court as at present. The duty of examining into the qualification of applicants for naturalization has been left with the court as in the past, but the actual certificate has to be issued by the Secretary of State. And in this we are obliged to follow the similar provision of the Imperial Act. The other part of the Act deals with marriage, the question of renouncing national-

ity by British subjects and the status of aliens. These provisions do not differ in any important respect from our present law. It is to be noted that in order to obtain the benefits of Imperial legislation, it is necessary for Canada to adopt the provisions of part 2 of the Imperial Act which regulates the terms upon which naturalization may be effected. We cannot, therefore, in the consideration of the Bill, vary the provisions of this part of the Act; in other respects the Bill follows as closely as may be the present legislation with respect to naturalization. It is perhaps superfluous to point out that under the present naturalization laws an alien is only naturalized with respect to that part of the empire under whose laws he has been naturalized. For instance, an alien naturalized in the United Kingdom is not a British subject in Canada and an alien naturalized in Canada is not a British subject in the United Kingdom.

Hon. Mr. THOMPSON—He will be under this legislation; the various self-governing dominions had no power to pass legislation.

Hon. Mr. LOUGHEED—Yes. The various self-governing dominions as yet have no power to pass legislation effective beyond their own boundaries, and the imperial legislation in force in the United Kingdom specifically restricted naturalization effected under it to the United Kingdom. It is to remove this anomaly that the present legislation is designed. As I before stated, this is the result of negotiations that have been conducted between this Government and the Imperial Government for a few years.

Hon. Mr. ROCHE—What are those people before naturalization?

Hon. Mr. LOUGHEED—They are aliens, the same as they would be under our existing laws until they became naturalized under the law that is at present on the statute-book.

Hon. Mr. THOMPSON—And they would be aliens in any colony or dominion that did not pass the legislation such as we are adopting?

Hon. Mr. LOUGHEED—Yes. With this explanation, I would therefore move the second reading of the Bill.

Hon. Mr. BOSTOCK—I would like to ask the hon. gentleman one question to which he did not refer—the position of an alien who comes into one part of the British Empire, and before he has completed his five years in that part, moves to another—say he started in New Zealand and came to Canada, or if he started in England and came over to Canada before the five years was up—what would be his position then?

Hon. Mr. LOUGHEED—He is credited with his residence in the other Dominions; that is my recollection.

Hon. Mr. BOSTOCK—Does he get a certificate from the first part of the British Empire that he went to?

Hon. Mr. LOUGHEED—There is machinery in the Act by which that can be duly certified.

Hon. Mr. POWER—With respect to the question asked by the hon. leader of the Opposition, if he looks at subclause 2 of the second clause he will see that the question is settled there.

2. The residence required by this section is residence in Canada for not less than one year immediately preceding the application, and previous residence, either in Canada or in some other part of His Majesty's dominions, for a period of four years within the last eight years before the application.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. WATSON—I have no objection at all to having an Act passed whereby you make a citizen of Canada a citizen of the British Empire, but I am inclined to think it would have been much better to have had two Acts on naturalization—one that we have at present, where a citizen can become naturalized as a citizen of Canada in three years, and another Act for those who wish to be naturalized citizens of the empire, and who could avail themselves of it. My experience, extending over a good many years, leads me to think that the quicker you allow an immigrant to this country to become a citizen of this country, the better. It seems to be absurd and ridiculous that a man should be a possessor of probably a section or two sections of land, cultivating it, paying taxes, and yet is not qualified to become a councillor, or even qualified to vote for five years. I do not think that is a wise provision. Then you are restricted to the English and French languages. We have encouraged people to come to the Northwest from all parts of the world, and my information is that, in the province of Saskatchewan alone, there are some 120,000 Germans. You are in a sense saying to those people that they are not as good

as their neighbours—not as good as a citizen who talks English or French. That is a mistake. All people who come to Canada and are willing to throw in their lot with us and become citizens, ought to be placed on an equal footing and be allowed to become citizens, irrespective of nationality or the language they speak.

Hon. Mr. THOMPSON—Are they under the old Act now?

Hon. Mr. WATSON—It does not matter what a man's language is, or where he comes from. Under the present Act he is entitled to become a citizen at the end of three years, and have all the privileges of a citizen of Canada.

Hon. Mr. DANIEL—I take it that the introduction and passing of this Bill will have no effect whatever on immigrants coming here who wish to be naturalized under the present law. As far as the Dominion naturalization is concerned the present law will apply; but if a man does not want to be naturalized under this Act, which takes five years, he is still able to be naturalized under the present law.

Hon. Mr. WATSON—No.

Hon. Mr. DANIEL—So that it will not have any effect whatever in so far as making any more onerous conditions that are imposed on immigrants at the present time. The only thing is that if he wishes to get naturalization, which will make him a British citizen all over the empire, then he has to be naturalized under this Act, but he can still obtain his Canadian citizenship under the Act that is at present in force.

Hon. Mr. POWER—No.

The motion was agreed to, and the Bill was read a second time.

The House resolved itself into a Committee of the Whole on the Bill.

(In the Committee.)

On the first clause.

Hon. Mr. BOSTOCK—In the schedule of this Bill the whole of the present Act, chapter 77 of the Revised Statutes is repealed. Therefore, the question asked by the hon. gentleman from Portage la Prairie (Hon. Mr. Watson) is a somewhat important one, if there will be, now, no Canadian naturalization as we have had heretofore.

Hon. Mr. LOUGHEED—It does not affect those who are in the country at the present time. It does not come into operation as to those until after the expiration of three years—that is after the repeal of the present Act—so that they will be able to take advantage of the existing regulation on the statute-books. As to newcomers, they come at once within the purview of the Act.

Hon. Mr. BOSTOCK—That is, anybody coming into Canada after the first day of January, 1915?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BOSTOCK—Anybody in the country before that can become a naturalized Canadian after three years' residence.

Hon. Mr. LOUGHEED—Those who are at present in the country.

Hon. Mr. BOSTOCK—I do not see anything in the Bill to that effect.

Hon. Mr. LOUGHEED—Sub-clause 2 of clause 34 makes provision for that.

Hon. Mr. WATSON—Take the case of a person who comes to Canada with a family under 21 years of age. Under the present law they become natural British subjects when they come of age. This may affect people who have been deprived of citizenship in a foreign country; there are young men growing up who will be deprived of naturalization for five years. It seems to me that it is not a fair provision.

Hon. Mr. LOUGHEED—Those who come to the country after this Act comes into operation will have to put in a residence of five years, as against a residence of three years for those who are at present in the country.

Hon. Mr. WATSON—The Government is asking immigrants to come to this country, and is spending a lot of money. The Government is going to advertise to these immigrants now that, whereas in the past they could have become citizens of Canada in three years, now they cannot become citizens until five years.

Hon. Mr. LOUGHEED—That has always been the law in the United States, as my hon. friend knows.

Hon. Mr. WATSON—No.

Hon. Mr. LOUGHEED—And there is no country in the world that has assimilated the foreign population like the United States.

Hon. Mr. WATSON—No, in the United States at the end of a shorter period they can make a declaration that they intend to become citizens, and that gives them municipal rights and all the rights of citizenship. You make no provision in this Act for that.

Hon. Mr. LOUGHEED—We cannot in any way interfere with municipal or provincial rights. The provinces and municipalities fix their own franchise in regard to voting. If they choose to say one who has been in the country for a certain length of time can vote, I am unaware of any federal law that will stand in the way of it.

Hon. Mr. WATSON—I understand that in municipal or other elections the oath can be administered to a man that he is a British subject.

Hon. Mr. LOUGHEED—That is the result of provincial legislation.

Hon. Mr. WATSON—No, the province cannot make a man a British subject.

Hon. Mr. KERR—No, that must be by Dominion legislation.

Hon. Mr. YOUNG—The point my hon. friend from Portage la Prairie (Hon. Mr. Watson) wishes to make is that the provincial or municipal authorities cannot make the intervening stage of citizenship.

Hon. Mr. LOUGHEED—The franchise or the right to vote is entirely within the right of the province, or of the municipal government, as the case may be.

Hon. Mr. MURPHY—And the qualifications.

Hon. Mr. YOUNG—But if the law reads that a man must be a British subject—

Hon. Mr. LOUGHEED—That is the law they make themselves.

Hon. Mr. POWER—As I understand we have to take the provision of the Imperial Act, otherwise the Imperial authorities will not recognize our naturalization here. I am disposed to agree with the hon. gentleman from Portage la Prairie (Hon. Mr. Watson) as to the desirability of not prolonging the term of residence in this country, but this is not the clause under which that subject should be discussed. When we come to the end of the Bill it might be desirable to add a clause or two to provide for the case of these people, but this is simply a definition of a natural-born British subject. I understand this is taken from the Imperial Act, and we cannot change it, because if we did, then the Imperial authorities would not recognize our Act.

Hon. Mr. LOUGHEED—That is correct.

Hon. Mr. POWER—It is better to postpone the discussion on our present system until we come to the end of the Bill.

Hon. Mr. WATSON—I raise the point as to the case of a foreigner who came to the country and became of age, becoming naturalized. I want an explanation of it?

Hon. Mr. CLORAN—It is just as well to know the object of the departure of the Government in compelling people in coming into Canada to be in the country five years instead of three years. If it were absolutely necessary in the case of the country to make a resident of five years obligatory, then all right, but up to the present date it has never been found necessary to make a man live in this country five years before having the right to say he is a citizen, and clothing him with the rights of citizenship. Five years, I point out most respectfully, is a long time for a person, whether he be an immigrant or a bona fide settler coming into the country, to stop here without being able to exercise the slightest right either federal, municipal or provincial. The leader of the Government says it is up to the municipalities and to the provinces to make their own laws in this regard. I respectfully submit to him that he is altogether in error. The municipalities and the province have absolutely no power in regard to citizenship of the Dominion as Canadians; the rights of the municipal and provincial laws can only be given to Canadian citizens; the provinces cannot declare that a man need only be in the country one year, six months or six years before he can vote. The provinces have no right to do that, much less the municipalities. Just imagine a county council or a town council passing a law in regard to naturalization, in regard to citizenship. The thing is absurd. So when the provinces and municipalities pass by-laws or regulations of that kind, they are based on the federal legislation establishing the right of a man to be a citizen. I am asking the Government why is it necessary for a man to reside here five years before he can obtain citizenship.

Hon. Mr. LOUGHEED—Because if we wish to take advantage of imperial legis-

lation on the subject so that when we naturalize a man in Canada he will be a naturalized subject throughout the whole empire, he must put in five years. We must assimilate our legislation to the legislation of the United Kingdom.

Hon. Mr. CLORAN—Does that mean that a French or German establishing himself in England to do business or to work has to pass five years in England before he has a right to vote?

Hon. Mr. LOUGHEED—We are not discussing the question of voting. This has nothing to do with it. But he has to put in five years before he can become a British subject.

Hon. Mr. CLORAN—Before he can claim the rights of citizenship.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. CLORAN—That any stranger establishing himself in England has to pass five years in that country before he can claim the rights of citizenship.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. CLORAN—They are too strict over there.

Hon. Mr. BEIQUE—I should like to ask whether the certificate given under sub-clause (b) of clause 1 would be the same as the certificate mentioned in sub-clause 5 of clause 2?

Hon. Mr. LOUGHEED—I take it the special certificate of naturalization granted by the Secretary of State will have all that effect mentioned in subsection (b). It would have the same effect.

Hon. Mr. BEIQUE—What is contemplated there, is a certificate of naturalization to be granted in special cases.

Hon. Mr. LOUGHEED—Sub-clause (b) does not refer to certificates in special cases, but sub-clause 5 does.

Hon. Mr. BEIQUE—I asked myself what certificate is to be issued, and what an applicant has to comply with, in order to get that certificate—whether he has to comply with any special condition—and I am referred to the special certificate mentioned in sub-clause (b).

Any person born out of His Majesty's dominions, whose father was a British subject at the time of that person's birth and either was born within His Majesty's allegiance or was a person to whom a certificate of naturalization had been granted.

Does that refer to the father?

Hon. Mr. ROSS (Middleton)—Yes, it refers to the father.

The clause was adopted.

On clause 2:

Hon. Mr. POWER—I understand the certificate of the Secretary of State shall be issued to persons coming from the British islands.

Hon. Mr. LOUGHEED—The certificate of the Secretary of State of Canada would have the same effect as the certificate of the Imperial Government.

Hon. Mr. POWER—That is not my point. Does the English legislation render it necessary that the certificate issued in Canada shall be issued by the Secretary of State?

Hon. Mr. LOUGHEED—Yes. So far as part 2 is concerned, we must absolutely accept the whole of part 2 to bring it into conformity with the English Act.

On sub-clause 3:

3. The grant of a certificate of naturalization to any such alien shall be in the absolute discretion of the Secretary of State of Canada, and he may, with or without assigning any reason, give or withhold the certificate as he thinks most conducive to the public good, and no appeal shall lie from his decision.

Hon. Mr. WATSON—I decidedly object to this provision being put in the Act. Any application made by the citizen of Canada will have to pass through the hands of the Secretary of State, and he may, with or without assigning any reason, give or withhold the certificate. After a man makes a declaration before a court, why should that have to pass through the hands of the Secretary of State, who can have no particular knowledge of the applicant? I do not know why the Government should reflect on the judges of the land, because at the present time those certificates have to pass the Court of Kings Bench of the different provinces. That ought to be sufficient guarantee, because the Kings Bench judge should have a much better knowledge of the right of the applicant to become a citizen than the Secretary of State. I do not think we should have this round-about way. I can quite understand the possible chances of a Secretary of State abusing this power; because it is well known that the great rush for naturalization is generally before the revision of the voters' list,

where the citizens want to take full advantage of their citizenship, and become naturalized for the purpose of exercising the franchise. Now it does not seem fair to me that the Secretary of State should have the right to throw out or pass or hold up for any reason he sees fit, any list forwarded to him, and thus deprive applicants for citizenship of their rights to the franchise. It is a great mistake; it should not pass into law. If there is any reason why this provision should be incorporated in the Act, we should have an explanation. Up to date no one has suggested that the Court of King's Bench is not satisfactory.

Hon. Mr. LOUGHEED—This clause is one that was very much discussed with the imperial authorities. They take the position —and I think rightly so—that naturalization is a privilege extended by the state to the alien, and it is for the state to say whether it shall exercise its discretion or not with reference to any alien who may seek the status of a British subject. That is the reason. We cannot advisably delegate to a court the matter of exercising discretion, because in that way we would have every court in the Dominion exercising discretion as to whether an alien should become a British subject. There are cases in which a very objectionable alien might have complied with all the requirements as to residence and qualification, and yet be most undesirable as a British subject. However, this is a matter that we have no discretion about. We have to accept it or reject the Bill. This Bill is the result of negotiations which have been going on between the overseas dominions and the British Government for many years. It has been discussed from time to time at the imperial conferences and this is the result of the combined efforts of those representing the overseas dominions and the imperial Government.

Hon. Mr. WATSON—Any citizen allowed to remain in Canada under the Immigration Act is good enough to become a citizen of Canada, because you can deport any undesirable, until two years after he lands here. You have that safeguard, but when a man is recognized as a good citizen under the immigration law he ought to be good enough to be a good citizen of Canada. I do not see why, if the hon. gentleman wanted to have a Bill passed to enable people who wished to become citizens of the empire, they should not have passed a Bill to allow such people to avail themselves of it, and at the same time allow us to continue our present naturalization law with a residence of three years; because this Bill will be a great blow to immigration. One reason that probably induced a great many people to come from the United States to Canada, is that they appreciated our laws. I venture to say that there is hardly an American citizen who comes to Canada who does not become naturalized as soon as he is qualified, and takes on himself full citizenship in Canada. Now, if they tell that man that, although he may come here, and cultivate his farm, and pay his taxes, he can not become a citizen of this country for five years—though he speaks English all right—I say it is not fair in the interest of the settlement of our Northwest. It is not fair to put that restriction upon good immigrants, especially those coming from the United States who, in addition to speaking English, have all had more or less to do with municipal affairs. We would be bringing them into this country and yet depriving them of citizenship for five years, and I say this would be a great blow to immigration.

Hon. Mr. DANDURAND—Will the hon. leader of the Government explain to me why the Secretary of State of Canada is called upon to give a certificate of naturalization to an alien who makes application for the purpose. In what exceptional cases can this kind of naturalization be applied for through that channel?—because the provision must be for exceptional cases.

Hon. Mr. LOUGHEED—An international difficulty might arise in which the question would be raised as to the status of an individual—as to whether he was a British subject or not—and it might be desirable in the interests of the individual as well as in the interest of the country from which he comes that there should be no question as to what his status is as a British subject. Many exigencies might arise wherein it would be desirable that the Secretary of State should be clothed with this power.

Hon. Mr. DANDURAND—It goes without saying that this is to cover very exceptional cases. I take it for granted that every alien who wants naturalization will naturally not have to obtain from the Secretary of State directly or indirectly, such a certificate.

Hon. Mr. LOUGHEED—Oh no, it would be in a very special case.

Hon. Mr. CLORAN—The leader of the Government has just made a formal state-

ment to the House that this Bill is the result of negotiations between the imperial and the Canadian authorities.

Hon. Mr. LOUGHEED—All the colonies.

Hon. Mr. CLORAN—Do the colonies take part jointly with Canada and the empire?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. CLORAN—Then the leader of the Government says that this Bill being the result of those negotiations, we have either to accept or reject it. Then why discuss it? What is the use of discussing it? Take the Bill bald-headed as it is; there is no use wasting our time, although we have been discussing this measure intelligently, to the point and up to the mark. We are told, 'Take it or leave it.' We are here to legislate, we are not here to either reject it or accept measures without discussion or without the power of amending. It is a most curious position to place a legislative body in—an honourable body that is called upon to legislate according to the merits of the situation. If we have no right to amend, but our only power is either to accept or reject this Bill, then I say, call it off. I fully endorse the position taken by the hon. senator from Portage la Prairie (Hon. Mr. Watson) in regard to forcing all aliens, or all people coming into Canada, from Prince Edward Island out to Vancouver, to come here to Ottawa, either by mail or in person, to secure their naturalization papers. You are centralizing one of the greatest powers that can be placed in the hands of the State. You are putting into the hands of one man the control of the destinies of this country for years and years to come. As was pointed out by the senator from Portage la Prairie, a list of say a hundred or a thousand names from his province or his county asking for naturalization would be sent forward on the eve of an election. You place the Secretary of State in a dangerous position, for he may be called upon by friends to prevent that list of persons from getting their certificates. I do not say that he would refuse them completely, but he might hold them up long enough to prevent them from recording their votes at that election. That is a dangerous condition of things to create, and I hold with him that the State does not abdicate its powers, its authority and its right, by having this power of naturalization decentralized and placed in the hands of the most competent authorities to deal with matters of this kind—the judges of the highest court in the different provinces. What greater guarantee does the empire want, or does Canada want than to have those papers and those demands for naturalization placed in the hands of the judges of our Superior Court, and the Court of King's Bench throughout the provinces. Surely the Government is not going to doubt the ability and the integrity of the judges in regard to this matter? I think the matter is serious enough and important enough for the leader of the Government to hold this Bill for further consideration. There is no immediate hurry to pass it; the empire will not fall if it does not pass to-day; but as the senator from Portage la Prairie has said, there is an absolute danger in this Bill. Let the power of granting certificates and looking after the proper administration of the naturalization laws be placed in the hands of the courts instead of the State, and everything will be satisfactory. Instead of waiting months and months for certificates, the applications could be dealt with on the spot. The judges would be more able and better fitted to pass on a demand for a certificate than would the Secretary of State, who will know nothing whatever about the cases. The proposition made by the hon. senator from Portage la Prairie deserves the consideration of the Government from every point of view.

Hon. Mr. DANDURAND—We are discussing clause 2, which enables the Secretary of State of Canada to grant a certificate direct to the applicant, who has not gone before the court to establish that he is entitled.

Hon. Mr. POWER—No, excuse me, if the hon. gentleman will look at clause 19 of the Bill.

Hon. Mr. DANDURAND—I say that from what I understand clause 2 would allow an alien to go directly to the Secretary of State.

Hon. Mr. POWER—No.

Hon. Mr. ROSS (Middleton)—Take clauses 23 and 24.

Hon. Mr. DANDURAND—I want to refer to those clauses. Clauses 23 and 24 bring every applicant, after the finding of the court, into the hands of the Secretary of State. Well, let us see how this will work. As has been well said by the hon. member from Portage la Prairie, the bulk of the demands for naturalization is made within

a certain number of months of a general election, when people get busy looking at the lists to see who will be called upon to exercise the franchise. I suppose that during the six months preceding a general election, 20,000 demands are made throughout the land.

Hon. Mr. CLORAN—Oh, more than that.

Hon. Mr. DANDURAND—Twenty thousand or a hundred thousand; they are all centralized in the hands of the Secretary of State. If the procedure appears regular, then the Secretary of State, barring objection from without, will issue his certificates. So far so good; but is his action necessary, when it will be an action which he will exercise without any discrimination? All those demands come to him; the procedure looks regular on the face of the demand, and he grants the certificate,—how could he do otherwise? Those demands come from the Atlantic and the Pacific into his hands by the thousands, and he acts as a matter of course.

Hon. Mr. YOUNG—As a matter of form.

Hon. Mr. DANDURAND—And as a matter of form. If it is simply as a matter of form, then why go up to him; why not be satisfied with the finding of the court?

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. DANDURAND—What will combine to disorganize the whole system, and create loud recriminations and real grievances will be this, that a protest may be entered by wire or by letter, when the time is short within which the alien may get his certificate in order to exercise his franchise, and the whole list coming to the Secretary of State will be held up.

Hon. Mr. WATSON—There will be an excuse.

Hon. Mr. DANDURAND—The list will be held up quite naturally by the Secretary of State because he will receive a protest; the whole system will break down when it comes to the exercise of the discretion of the Secretary of State, on a protest that has been entered at the last moment in such a way as to prevent a certain number of electors, the aliens, who have sued for their certificate, from exercising their franchise. I am afraid this system will work in a very unsatisfactory way. I am speaking for all times. I am not thinking of the conditions that may prevail detrimental to one party to-day, but detrimental to the general administration of the Act, which may produce effects which will be most detrimental upon aliens who come, and who may feel that they will be injured by their being refused their certificate at the time when they needed it.

Hon. Mr. DOUGLAS—I wish to say a word or two on this subject as representing the West. I am very much in favour of what has been said by the hon. gentleman from Portage la Prairie (Hon. Mr. Watson). I know something of the West and the administration of the law there. prior to election day, is very perplexing even under our own system in all its simplicity. Even the judge who has the right to grant papers finds himself perfectly swamped with too much legal machinery. If that is so in the case of three years, what it is going to be if we accept this proposal. I do not know how far the Imperial authorities have a right to dictate to us as to what our rule ought to be. We know the difficulties we have had in the past, and I fear we will multiply them very materially, if we accept this proposal from the authorities of the British Empire. It is not disloyal for us, as the Senate of this country, to say that we have a right to follow on as we have been doing, and if we find that it is about as perfect as the country and conditions call for, why should we make this material change? When I sat in the Commons I had the privilege of representing people who spoke some different languages, and it was no small matter to see that they all got their rights; they did not always get their rights, even by our own method. Three years residence is quite sufficient in this country. Take for example the educated German; In the West we have large settlements of educated Germans, many of whom hold degrees from universities. Why should such men with their intelligence and capabilities, in reference to the development of the country that they have embraced, be held up for eight years before they can enjoy the right of citizenship? It seems to me prepostercus to ask that Canadians, under these conditions, shall reside here an additional five years. I am opposed to the five years. Let us hold to three and make it as stringent as you please, but why should we shut out men with good ability, who are perfectly willing to accord to Canada every obedience to every law. if this is to become law, that we are to defer the reception of these men for a period of eight years.

Hon. Mr. POWER—Where does the hon. gentleman get the eight years.

Hon. Mr. LOUGHEED—Why does the hon. gentleman not read the Act?

Hon. Sir MACKENZIE BOWELL—How does the hon. gentleman arrive at the period of eight years?

Hon. Mr. DOUGLAS—If they come in as individuals with a family, for example, they are subject to three years, and the five years does not begin until after the three years are over.

Hon. Mr. POWER—That is not the case at all.

Hon. Mr. LOUGHEED—There is nothing of that kind in the Bill. It is made five years instead of three.

Hon. Mr. DOUGLAS—It will be five years anyway, and we think three years are sufficient, because there is no reason why that class of people should be kept here for five years, before becoming citizens. I would be disposed to let this Bill lie on the table for a few years until we get more experience. I am satisfied that our present system, rightly administered, is all that is necessary.

Hon. Mr. POWER—The object of this Bill, as I understand it, is to provide for naturalization which shall be good all over the world. We cannot get that naturalization unless we comply with the terms of the imperial agreement. The earlier clauses of this Bill simply set out the things which are required by the imperial Government. We cannot change those if we wish to have this kind of naturalization, but, as I intimated a little while ago, when we come to the later clauses of the Bill we will find that there are provisions which are not to be found in the imperial Act, and which concern Canada particularly. My idea is that the businesslike way is simply to pass the earlier clauses, which are practically prescribed for us by the imperial Government, and then, when we come to the later clauses and act upon our own discretion, we can provide, for instance, that three years shall be sufficient to qualify a man to acquire a homestead and to provide that he shall be in the same position for all local purposes as he is to-day. A couple of very simple amendments would produce that.

Hon. Mr. BEIQUE—I appreciate the difficulty. This measure, as I understand, is the result of an exchange of correspondence between the Canadian and the Imperial Governments. They have settled upon this, and we are told that the provision regulating the issuing of certificates of naturalization by the Secretary of State only has been insisted upon by the Imperial authorities. Do I understand that?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BEIQUE—It is difficult to overcome that position. If we do not accept that part of the Bill, it means that the Bill will have to be left over; but I cannot refrain from expressing my regret that it contains that provision. It may work all right in England, where they have to deal with a very small country, but in a country of the extent of the Dominion of Canada it will not work properly and will not give satisfaction. As was very properly pointed out by the hon. member from De Lorimier (Hon. Mr. Dandurand), it is liable to lead to abuses—possibly to discrimination, and, even if there be no discrimination, to suspicions that there has been discrimination. It is very important that a measure of this kind, one we are placing on our statutes for all time, should work to the satisfaction of the community at large. With that provision, it is to be seriously apprehended that it will not prove satisfactory to the people of Canada. The Secretary of State will be changing from year to year, and period to period. The Secretary of State may be fair, and administer this Act impartially, or he may not, and, even if he administered it fairly, he will be suspected by one party or the other of exercising discrimination. It is open to this very serious objection. The Secretary of State would have to deal with a mass of applications, coming from all over the country, and which he cannot deal with in a satisfactory way.

Hon. Mr. YOUNG—Or in a reasonable manner.

Hon. Mr. BEIQUE—Or in a reasonable manner. I regret exceedingly that the imperial authorities were not made to understand the exceptional circumstances which meet us in Canada, as compared with England, and so induced to grant us the necessary concessions in the Bill.

Hon. Mr. DANDURAND—I should like to put this question: does my hon. friend think that it is fair to ask this Parliament to put the Secretary of State in the position

of being pressed on the eve of an election by a group of friends to withhold the granting of certificates, when the issuing of these certificates might result in the defeat of a candidate who is friendly to his own party? I am speaking generally. The Secretary of State is a member of the Cabinet, and he may be asked: will you allow one hundred or two hundred aliens in my constituency to get their certificates in time to vote, when I have a number of formidable objections which I have formulated in a protest and sent to you? Although the procedure seems to have been regularly followed, will you allow these two hundred aliens to get their certificates in time to swamp me?' This is what may happen to the Secretary of State; he will be facing a protest with a number of objections, and will be pressed on all sides by his own friends to stay his hand; if that can take place in one instance it may take place in fifty cases. I would pity the Secretary of State who would have to withstand such an onslaught.

Hon. Mr. CLORAN—We should regulate and make our own laws, in spite of the advice of Australia, India, or England in regard to our own naturalization. Our naturalization laws up to the present have been fair and good enough. Now we are asked to pass legislation of which we know nothing. Correspondence has gone on between the department on one side of the ocean, and the department on the other side, but Parliament knows nothing of what has transpired. It is all reduced into this Bill, and we are told that we must accept or reject it—a most abnormal position in which to place a legislative body. What I would suggest is this, to satisfy the imperial authority; let there be a clause in the law that any naturalized citizen leaving Canada to go abroad to any British possession take out another certificate from the Secretary of State. Have a special Act for that. I stand here and am getting more determined than ever that it is not fair to the people of this country to place the powers under this Bill in the hands of a Secretary of State; I want the Government to understand that, so far as I am concerned. It is not fair to the people of this country to place these tremendous powers in the hands of a political manipulator, and that is what ministers are. They all manipulate the positions they hold in the interest of their party. We should be on our guard here. We have the power to protect the rights and interests of the people, and I hold, if the senators who have spoken against this provision of the Bill are serious and sincere, they shall take action now to prevent this provision being enacted. I hold, with the member from Portage la Prairie, that the proper parties to pass on those certificates are the local judges in the provinces who know the men who are applying for naturalization, and if there should be a protest lodged against any application it will not be necessary to bring it to Ottawa. The applicant for the certificate can make his appearance in the local court house as well as the man lodging the protest and there the matter can be settled. If a protest is lodged against an applicant by letters to the Secretary of State, what is going to happen? The applicant is a poor man working on his farm far away in the West; he has not the time to leave his farm and come here to advocate his rights? He cannot do it by correspondence. You are making the position unfair and untenable to every man coming into this country and about to come, and I hold that the senators on both sides, who know I am right, should take action in regard to this matter and force the Government to withhold this measure and see that this provision which is now sought to be thrust upon us is changed. Let the negotiation go on with the imperial authority; let the imperial authorities be told that that provision is not in the best interests of Canada and the rights of the people. I have no doubt that the British authorities will say that they are willing to substitute a clause which will meet our exigencies, because they are sensible people. My advice to the Government is to hold this measure over until it contains a provision to meet the conditions in Canada.

Hon. Mr. DAVID—Unless the present law has produced great abuses, I do not understand the necessity for this change. The leader of the Government cannot very easily answer the objections which have been raised to this provision. There is no doubt the proposed change will check naturalization. Unless there are very serious reasons, which have not been given, I cannot understand why this change is sought. Perhaps the hon. leader of the Government may be able to show that there are such reasons; so far we have not heard them.

Hon. Mr. ROSS (Middleton)—There is a misapprehension in the minds of some

members of this House about the object of this Bill. If we are content with naturalization that is good within the geographical boundaries of Canada, then we do not need this Bill. Some people would perhaps be satisfied to be declared British citizens within the boundaries of Canada. This Bill meets the views of another class of people who say that when they get a certificate of naturalization as a British subject they want that to be good all over the British Empire. and further than that, that they want, so far as the imperial legislature, combined with the Canadian legislature, can confer the right of a British subject on them, to be British subjects in foreign countries. Now what do we find? The fact about that is this: take a German or Russian; he comes to Canada and he gets naturalized as a British subject: he is a British subject in Canada. He goes back home, and the German or Russian Government as the case may be ignores your naturalization, and they make him serve in the army. There is only one country in the world with regard to which that does not hold good, that is between Britain and the United States. They get over that by convention. If a United States subject goes into the British Empire and becomes a naturalized British subject, and he goes back home he is a British subject, and if a British subject goes into the United States and becomes a United States citizen and comes into the British Empire, he comes back as a United States citizen. It is very desirable to get your naturalization, not on a Dominion footing but on a national footing, so that we can get all the conventions that the imperial Government may be able in the future to arrange.

Hon. Mr. DANDURAND—We are all agreed on that.

Hon. Mr. ROSS (Middleton)—Now if you are content with a Dominion certificate in that respect, instead of an empire certificate, you would not need this, and I suppose we can get along very well with the old certificate of the county court that we used to have. But if you are going to have a certificate of naturalization, that is going to be good in India, Ceylon, Australia and all these places, I do not think it is unfair that the British Government should ask you that some national officer in Canada should issue all our certificates of naturalization. If a man happened to be in Melbourne with a certificate of naturalization granted in Canada, it is unfair that the court out there should be called upon to consider whether a county court judge, in some out of the way place in Canada, had given him his certificate or not, or whether that bore the seals of the court.

Hon. Mr. CLORAN—One is as good as the other.

Hon. Mr. ROSS (Middleton)—It is nothing of the kind. The hon. gentleman knows if you take into a foreign country a certificate of a notary public in this country, nine times out of ten you have to get a certificate under the great seal of the province from which that man is a notary public. It is the great seal that gives validity to these documents, and it is this certificate of the Secretary of State which no doubt would have the great seal of Canada on it.

Hon. Mr. WATSON—Would it not be wise to have a special Act passed for any person who wanted to travel, to give them the privilege of that seal, and not make it general for everybody. Everybody does not want the great seal.

Hon. Mr. ROSS (Middleton)—Not at all, but when you are travelling with a certificate of British naturalization you are, in all human probabilities, claiming rights.

Hon. Mr. WATSON—That is what I say. I have no objection to that when a person wants to travel, but do not inflict every citizen of Canada with the trouble of getting that great seal. They do not want it.

Hon. Mr. ROSS (Middleton)—You cannot provide machinery for naturalization from a national point of view, and legislate for particular cases. You must take the whole scheme under your consideration unless you want to legislate just for local elections in one county. The very same objections that are being urged against the Secretary of State giving a certificate can be urged against the judges.

Hon. Mr. WATSON—Oh, no.

Hon. Mr. ROSS (Middleton)—Oh yes, the very same objections can be made. You can file 500 applications for naturalization in the county court. What is to hinder, if the Secretary of State is corrupt, if we are all corrupt—

Hon. Mr. DANDURAND—There is no question of that. That is not alleged.

Hon. Mr. ROSS (Middleton)—There is no validity in the objection unless you assume the Secretary of State for political purposes would violate his oath of office.

Hon. Mr. WATSON—I think he will.

Hon. Mr. ROSS (Middleton)—Very well, you can assume the very same thing on the part of the county court judge, that if a candidate who is running were to go to that county court judge, that he might withhold his judgment on that thousand applicants for naturalization until after the elections.

Hon. Mr. DANDURAND—But the county court judge is not in politics and does not require the vote of the electors.

Hon. Mr. LOUGHEED—A great many of them are.

Hon. Mr. ROSS (Middleton)—You will find them in politics and you will find them outside.

Hon. Mr. WATSON—If we have to run one gauntlet do not make us run two.

Hon. Mr. ROSS (Middleton)—Not at all. You will find the machinery here is to apply to court. The court gives the certificate and that is sent to the Secretary of State and he issues a duplicate. He returns one to the court. Now it is almost inconceivable that there should be any such thing happen as some of the hon. gentlemen point out, that any Secretary of State could hold up anything beyond a mere fraction, a man here or a man there, and that for some national reason. There might be complications with India, there might be complications arising over a citizen in Ceylon or Australia, and it might be wise for the Secretary of State to hold up a certificate, but it is simply unthinkable that with the certificates granted by the King's Bench that he could, on a telegram from a party ward heeler, withhold those certificates.

Hon. Mr. CASGRAIN—What is going to prevent it?

Hon. Mr. ROSS (Middleton)—If the hon. senator from De Lanaudière (Hon. Mr. Casgrain) was a county court judge, and there was 500 applications before him what is there to prevent him from holding up a certificate? It is a perfectly good answer to any form of objection that you can make to the issue of certificates, that if the man is rotten and corrupt there will be injustice done. The only thing to do is to assume that there will be at least ordinary honesty about the thing, and if there is anything beyond that it will be dealt with by Parliament.

Hon. Mr. CLORAN—The other day a shipload of Hindus arrived in British Columbia and they were sent back. I desire to ask my hon. friend——

Hon. Mr. ROSS (Middleton)—I live on the east coast.

Hon. Mr. CLORAN—The hon. gentleman should know all about the country, not merely his own little section. I live in Quebec and I pretend to know as much about British Columbia as Quebec or Prince Edward Island, and that is the duty of a statesman. I want to know if under the proposed law that shipload of Hindus which was sent back by the Canadian Government would be allowed to land? Answer the question, yes or no.

Hon. Mr. ROSS: There is only one further thing that I wish to say: I put this to the House that if we are to stand by a national certificate this provides the proper form, but if we want to throw this Act away, and go back and live under the old law which we have been living under, all right. If we are going to adopt a national system of naturalization, then I think that you must either give the Secretary of State or some other public officer of the national Government here the right to issue these certificates of naturalization, if you expect them to have a world-wide, or at least British Empire-wide effect.

Hon. Mr. DANDURAND—Will the hon gentleman allow me to put a question? What difficulty will there be in allowing a person who wants an imperial status to obtain from the Secretary of State his certificate, who would be satisfied with a certificate from the judge as heretofore in order to exercise his Canadian franchise?

Hon. Mr. KERR—I was just going to suggest that as a reasonable way of putting the matter. Of course this Act is intended to meet a political exigency of our position in regard to the empire. Unfortunately the two subjects have been brought together, that is, the local rights and the political rights, as specified in clause three of the Bill. I really think there is no difficulty at all in dealing with the matter in this way; let the Bill pass, so far as it is intended for universal purposes and for the uses of those who desire to have the evidence of their citizenship in

this formal manner; but why expose the enormous number of incoming voters, present and future, to the delay and expense of a reference to the Secretary of State in a matter we are all satisfied should be granted to them—the right of exercising the franchise. Without disturbing this Bill, clauses might easily be added to it with a view of providing that, so far as a person may desire to exercise his franchise, his citizenship can be disposed of or dealt with as it is at present by a certificate of a judge of the court. I have not heard that there was any great complaint about the present system in that regard. It is true that sometimes a judge has to work overtime when near elections, but he is willing to do that, and that is only in reference to the particular locality with which he is charged; moreover, there are a large number of those judges. By this Bill you propose to concentrate the whole of this work, and a great deal more, on one officer in Ottawa, who will certainly not be able to cope with the situation. I think, therefore, that the certificate provided for in the existing Act might be accepted and received in the case of those who wish to exercise their present rights of voting, and that the addition I suggest might be made to provide for the others; otherwise you are going to have a small revolution on your hands in the way of trouble in regard to the alien vote.

Hon. Mr. BEIQUE—I was going to make the same suggestion, that this Act might be passed as it is, and we might modify or repeal the present Act now on our statute-book, but only as regards any person who desires to obtain a certificate as a British subject extending over the whole empire, leaving our present statute in force for any person who desired to obtain a certificate of citizenship to have effect only in Canada.

Hon. Mr. YOUNG—We would have two classes of certificates—one which would make the alien a citizen of the British dominions, and the other one making him a citizen of Canada.

Hon. Mr. BEIQUE—We might reserve that clause for the present.

Hon. Mr. DANDURAND—I would suggest that the committee rise.

Hon. Mr. KERR—I call attention to the fact that we might leave clause 3 as it is, as there is no objection to it at all, and in the same Act provide a saving clause. If you put that in, and make a separate Act, there might be a conflict as to which would be the governing provisions. The clause which gives the person his right of citizenship is as follows:

3. A person to whom a certificate of naturalization is granted by the Secretary of State of Canada shall, subject to the provisions of this Act, be entitled to all political and other rights, powers and privileges, and be subject to all obligations, duties and liabilities, to which a natural-born British subject is entitled or subject, and as from the date of his naturalization have to all intents and purposes the status of a natural-born British subject.

A clause should be added saving the rights of those who, being aliens, desire to vote and exercise that right.

Hon. Mr. YOUNG—Under the law of evolution, as I suppose, the present Administration the first year it assumed power started reducing the parliamentary functions of Canada to the Governor in Council. This year they have narrowed that down to an administration by the minister, which takes the place of Parliament. The next stage will be that the private secretary will be doing the business. It looks that way to me, because in this case and the case of the Postmaster General, we have come down to the minister being the Parliament of Canada.

Hon. Mr. ROSS (Middleton)—Excuse me for just one minute. There is a provision here for a trial. A man applies for naturalization, he goes before the court, and a man can object to it, a verdict and the case is tried out. It is therefore not fair to say that the thing is shoved over.

Hon. Mr. YOUNG—True, there is a trial, but it is not worth a button unless the minister, the Secretary of State, gives a certificate, and his decision is final; he does not even have to give a reason; therefore your trial does not amount to anything when you have to go to the court of last resort from which there is no appeal, and that court two or three thousand miles away.

Hon. Mr. ROSS (Middleton)—No Secretary of State could afford to turn down one of those certificates from one of the courts without a good substantial reason for so doing.

Hon. Mr. YOUNG—I have every admiration for the Secretary of State; we have not yet reached that stage of believing that the men who occupy that office are saints.

Hon. Mr. ROSS (Middleton)—He does not need to be a saint.

Hon. Mr. YOUNG—First and foremost, the judges try the case. They are on the spot, and they have the evidence before them. They will not render judgment contrary to this Act, providing that a man makes good his right to be a citizen of the country. The next step, as I understand it, is that this case is sent to Ottawa to the Secretary of State. The man has appeared before the court and has made his application and has stood the test. The next step is that the Secretary of State has to give a certificate. Can you conceive the amount of business the Secretary of State, or any man that he would appoint, would have in giving those certificates?

Hon. Mr. McKAY (Cape Breton)—The hon. member asks us to look at the enormous amount of business the Secretary of State would have to handle. I would like him to indicate just what that amount of business would be. I do not want to interrupt the hon. member, but I want to ascertain what he means by this enormous amount of business. Does he presume or imagine that there may be objections taken to one thousand, two thousand, ten thousand applicants for those certificates before the Secretary of State?

Hon. Mr. CLORAN—Suppose they are protested?

Hon. Mr. YOUNG—I shall answer my hon. friend quite easily. The enormous amount of business would be measured by the number of certificates on which the Secretary of State will have to pass; it may be one hundred thousand in a year.

Hon. Mr. McKAY (Cape Breton)—Well, approximately.

Hon. Mr. YOUNG—It may be two hundred thousand, according to our immigration. Worse than that, these certificates will come before the Secretary of State, possibly at intervals, in large numbers. They are not distributed evenly over the whole year; we who have been in the field of politics all know that those applications for citizenship are made shortly before elections occur, both for the Dominion and the provinces. Both parties get busy, as also does the applicant himself, who feels that he is entitled to be a citizen of the country, and wishing to take part in the affairs of the locality or constituency that he is in, he goes to whichever side he is in sympathy with, and tells them that he is entitled to be a citizen. Immediately the machinery is put in motion for him to make his application before the courts. Now those applications will be made in immense batches, especially before a Dominion election, and they may be in smaller batches before a provincial election, especially in those provinces which are absorbing the greater amount of immigration—particularly on the prairies and British Columbia, all of which is far removed from the seat of Government. The process will be that after this application is made and the case comes before the court, the procedure is sent to Ottawa to the Secretary of State, who has to pass on those applications. For what earthly reason or excuse has he to pass on it? The court has recommended it, or else it might never reach there. It is said the imperial authorities have passed this, but the imperial authorities may not have considered the great inconvenience it is to this vast country in dealing thus with a matter of detail. While the applicant has his application before the Secretary of State, that minister, with the multitudinous duties that he has to take care of, issues his certificate after a while; but that does not make the applicant a citizen, for he must go before the court and take his oath of allegiance; then he becomes a full-fledged citizen. The election will be over and gone before the citizen has time to get his certificate in his pocket, and get the right to vote. We cannot prevent people from delaying these matters until the last moment.

Hon. Mr. DANDURAND—Fifty thousand, it might be.

Hon. Mr. YOUNG—Yes, one hundred thousand, so you see how cumbrous it is. The argument of my hon. friend from Middleton (Hon. Mr. Ross), is that we must have some well-recognized high official to issue the certificates, so that the people of the British dominions will know that a proper person has signed them. It is claimed that the signature of a county judge would be unknown. There is something in that, but let us have a double barrelled system, so that if a citizen of Canada wishes to enjoy the larger privilege of being a citizen of the empire the world over, let him make application to the Secretary of State and get a special certificate, and thus we will relieve the Secretary of State of a great amount of work, because there will be a lesser number applying for this world-wide certificate—that is, the major certificate.

Hon. Mr. McKAY (Cape Breton)—I think it would be an absurd procedure;

this double barrelled certificate idea is most ridiculous. Our great aim and object should be to have an imperial citizenship to begin with, but that does not appear to be the object of my hon. friend who has just sat down. Reasoning from his utterances in regard to the procedure necessary to become a British subject, his whole aim and object appears to be to get the applicant to be a voter. He says those batches will come in just before the election, that the matter goes before the Secretary of State, who is very busy, and has a great many applications to look after, and as his time is very much occupied—

Hon. Mr. DANDURAND—And he receives protests.

Hon. Mr. McKAY—We will come to the protest in a minute. We will suppose he has not received protests, but the application goes through. Then the application, in order to be completed, and in order that the man should be a full-fledged imperial British citizen, has to take the oath of allegiance. This certificate has to go to him wherever he is, in whatever part of the country he resides. After he has taken the oath of allegiance the whole thing is complete, and he becomes a citizen. That is what he is after; it is not that he wants to give a vote to this, that or the other party. That is a very small way to look at this subject. The great thing in regard to these matters is not how many votes my hon. friend can get on to his voters' list, or how many I can get on my voters' list, but how many British subjects we can get registered under this Act; that is what he should look after. In regard to protests which might be issued against those applications, what would be the nature of those protests? I ask the hon. member who has just spoken what would be their character and nature?

Hon. Mr. YOUNG—The protests might be very frivolous, as far as we know, because I should think that the proper place to make the protests would be before the court where the evidence could be taken or charges refuted. There should be no such discretionary power on the part of the Secretary of State.

Hon. Mr. McKAY (Cape Breton)—I have no doubt that my hon. friend has had a good deal of experience in regard to this, and he knows as well as I know that in a community such as they have in the West, or such as we have in the extreme East, where there is a large immigration, a large population of Europeans coming in—Galicians, Poles, Germans, Hungarians, and the various nationalities of Europe—the object is to get around those fellows, get them posted up, get them naturalized citizens, and get them on the voters' list. My hon. friend has had a lot of experience in that, and I have no doubt that my hon. friend from Portage la Prairie (Hon. Mr. Watson) is an expert at that business, and that in his time, and in his day, in all probability, if he did not do it himself, he saw that it was done—that a batch of those fellows would be taken, and, whether they were six months, one year, or two years in this country, that by some means or other, by hook or by crook, those fellows would be passed before the courts, and would receive their certificates, would be put on to the voters' lists, and would have their votes in this country long before they had any right to be British subjects. That has been taking place wherever you find those people to whom I have referred.

Hon. Mr. WATSON—So far as I know it has never taken place.

Hon. Mr. McKAY (Cape Breton)—I accept the hon. gentleman's statement. I know he is an exceedingly innocent man, a pure-hearted, upright politician, and has been all his life, and he would not be a party to anything of that kind.

Hon. Mr. WATSON—I rise to a point of order. I want to know if the hon. gentleman has a right to impute motives to me. He has suggested that I have taken part in putting on the voters' list names of persons who were not qualified.

Some hon. GENTLEMEN—Withdraw! withdraw!

Hon. Mr. WATSON—I say the statement is absolutely false, and the hon. gentleman has no right to make such a charge against me.

Hon. Mr. McKAY (Cape Breton)—Hon. gentlemen and Mr. Chairman—

Some hon. GENTLEMEN—Withdraw!

Hon. Mr. McKAY (Cape Breton)—I am in the judgment of the members of this House, to say if I made such a statement as has been attributed to me. I made no such statement.

Hon. Mr. WATSON—The hon. gentleman said I was an expert in doing that kind of work.

Hon. Mr. McKAY (Cape Breton)—I took the trouble to demonstrate to this House that I looked upon the hon. gentleman as an honest, straightforward, upright politician and has been all his days. Knowing what I do know of the hon. gentleman, I am sure he is possessed of all those qualities that are possessed by all hon. gentlemen here, but just the same, the world goes on and lots of names go on the voters' list in the various parts of this country.

Hon. Mr. BEIQUE—We will take the last certificate of the hon. gentlemen, not the first.

Hon. Mr. McKAY (Cape Breton)—I regard the clause in this Bill which makes the time five years as the best provision that it contains. When an alien enters the Dominion he should be satisfied with the laws of the country of his adoption. He receives all the rights and privileges that our own people possess, and the protection of our courts. He has every advantage that we enjoy, except possibly the franchise. Much of the immigration from Europe is from countries where the people are not accustomed to our free system of Government and have been living for the most parts under despotic governments. It will be time enough to give them the franchise after they become familiar with our system of Government. By way of illustration, take the case of a boy who has been under severe paternal restraint, who grows up and goes out into the world away from home: what is the result as a rule? He finds himself free and he thinks he can do as he pleases. European immigrants who come from the old country where, as they confess themselves, they were under the iron heel of despotism, finding themselves in this land of freedom they begin to think they can do as they please. They settle in communities and over-ride our own people and very often create trouble and disturbance, especially the labour element. I do not think the arguments advanced by the hon. gentleman from Portage la Prairie in regard to protests that may be sent to the Secretary of State are at all well taken. Under the existing system protests may be entered, and they should be entered in every case where the applicant for naturalization is not fit for citizenship. It is right that such a provision should exist in the Act.

Hon. Mr. BOSTOCK—So much interest is taken in this clause, I would ask the hon. leader of the Government if he can bring down the correspondence between the Canadian and British authorities on this question. It might throw a flood of light on the subject.

Hon. Mr. LOUGHEED—There is a misapprehension, apparently, about this Bill. This is really not an election law, but a Naturalization Bill.

Hon. Mr. DANDURAND—They are very closely allied.

Hon. Mr. LOUGHEED—There seems to be a mistake along that line. This is in the nature of a treaty, the result of negotiations which have been going on for six or seven years between the Imperial Government and the governments of the overseas dominions. It is the result of many discussions in the imperial conferences. This particular clause has been insisted upon by the Imperial Government, and very properly so, because hon. gentlemen must know that the main consideration is this, that where we enter upon the naturalization of aliens it is proposed to give them a status throughout the British Empire. We take a Russian serf and convert him into a British subject, and when we do so we place behind him, no matter on what continent he may be, all the forces of the empire. And those forces will be set in operation just as much on behalf of that man, once he is naturalized, as if he were born a British subject.

Hon. Mr. WATSON—That is in five years instead of three years.

Hon. Mr. LOUGHEED—Five years and also the certificate of the Secretary of State. Outside the Dominion of Canada there is only one certificate which will be recognized by any foreign government respecting any official act of this Government, and that is the certificate of the Secretary of State for Canada.

Hon. Mr. CASGRAIN: That will not be recognized by foreign governments.

Hon. Mr. LOUGHEED: If any Canadian desired to go abroad, the only passport he would get that would admit him into any foreign country would be a passport of the Secretary of State.

Hon. Mr. WATSON—That is available now.

Hon. Mr. LOUGHEED—This certificate has been insisted upon. This is the result practically of a treaty between all the governments and we have no authority to depart from the provisions of the Bill.

Hon. Mr. YOUNG—Even in a minor detail?

Hon. Mr. LOUGHEED—I am speaking now of that particular clause as to the evidence of naturalization. The certificate of the Canadian Government is evidence that the alien has complied with all the requirements of this Act, which represents an agreement between the different governments of the empire that he is a British subject. Hon. gentlemen cannot be serious for a moment in saying that some remote inferior court that nobody distant therefrom may have heard of—that you hon. gentlemen in the Senate would not know anything of—should issue a certificate of naturalization and that this certificate of a county court judge should be accepted in remote parts of the British Empire.

Hon. Mr. DANDURAND—Take the alien who has conformed to the enactments practically of this Bill, and who has obtained a certificate from the county court judge; could he not exercise his rights of Canadian citizenship and obtain later on, if he wants to, his imperial status by asking for and obtaining from the Secretary of State a certificate?

Hon. Mr. LOUGHEED—That involves the adoption of a dual naturalization.

Hon. Mr. YOUNG—A dual system of certificates.

Hon. Mr. LOUGHEED—The policy of the Government is entirely averse to the adoption of any dual system. Unless hon. gentlemen see their way to accept this policy, which I say is the work of many years, I am not prepared to say that any other alternative will be accepted, and we will fall back on the old system.

Hon. Mr. KERR—Is it not to be considered, after all this time has been spent on this measure, which could have been introduced many months ago, but which is now only brought down in the dying hours of the session—

Hon. Mr. LOUGHEED—This invariably happens and cannot well be avoided.

Hon. Mr. WATSON—Will the hon. gentleman not be able to give us a reason why the citizenship of Canada should be changed from three to five years?

Hon. Mr. LOUGHEED—Because that is the requirement in the United Kingdom.

Hon. Mr. WATSON—I want the hon. gentleman to give his reasons why the term should be changed.

Hon. Mr. LOUGHEED—When it comes up again I will be prepared to do so.

Hon. Mr. BAIRD, from the committee, reported that they had made some progress with the Bill, and asked leave to sit again.

Hon. Mr. DANDURAND—It will take some time for my hon. friend to consider the question in regard to Canadian citizenship, and perhaps we had better defer the Bill until next week.

Hon. Mr. LOUGHEED—No, it is entirely out of the question to go back to the three years.

Hon. Mr. DANDURAND—Personally, I am not disposed to accept the Bill under those conditions.

Hon. Mr. LOUGHEED—I would very much prefer for hon. gentlemen to move an amendment, and let us have the voice of the House upon the question of policy, and that would dispose of it.

BILLS INTRODUCED.

Bill (185), An Act for the relief of the Depositors of the Farmers Bank of Canada.—Hon. Mr. Lougheed.

Bill (213), An Act to amend the Dominion Lands Act.—Hon. Mr. Lougheed.

Bill (224), An Act to amend the National Transcontinental Railway Act.—Hon. Mr. Lougheed.

The Senate adjourned until three o'clock this afternoon.

SECOND SITTING.

The SPEAKER took the Chair at Three o'clock.

Routine proceedings.

RATES OF INTEREST IN POST OFFICE SAVINGS BANKS.

INQUIRY.

Hon. Mr. POWER rose to call attention to the illiberal way in which depositors in Canadian banks are dealt with and to ask:

Whether it is the intention of the Government to increase the rate of interest on deposits in the post office and other Government savings banks.

He said: I feel that it is to a certain extent imposing on the House for me to undertake to speak on this inquiry, because we

have been so busy during the last few days that I have not had time to think seriously over the question, nor to make notes, but the notice I have given is identical in terms with a notice which I had the honour to give last year, and I spoke at some length although not at great length, last year, and several other members of the House also spoke: so that I shall content myself with reading a portion of what I said last year, and adding a very little more. I spoke as follows:

The subject of this resolution is one of very considerable importance. It is generally recognized that it is a desirable thing that money and the elements of prosperity should be as generally distributed as is practicable; that there should be no monopoly either of wealth or of prosperity in the hands of any class. That is the general distribution of wealth or of a reasonable amount of wealth, and the general distribution of comfort is a condition of things necessary for the best interests of society.

I quote that much at present, and I further say:

The people who are fairly comfortable, those who have, may be, comparatively small sums of money deposited in the savings banks and who try to live within their means and to save a little for the time when they shall not be able to save any more, are, on the whole, the backbone of the social fabric, and they are people whose interest should be considered.

Every hon. gentleman will agree with me so far. Then I went on to consider how the bank directors or the managers of the banks had acted. I pointed out that the banks were making very handsome profits and I gave figures to show that. I may say here that although the past year has been one of unusual stringency, and one during which conditions have been unusually trying, the banks have not that report to make. If you take up the reports of any of the banks which have come to hand lately, it will be found that the banks, although other people are suffering, continue to pay handsome dividends. The deposits are increasing; the dividends are holding their own. In last Saturday's Ottawa Citizen there is a report of the proceedings of the 39th annual meeting of the shareholders of the Imperial Bank of Canada. The original capital of that bank was seven million dollars. It has been increased by the bank laying aside the profits of one year after another, to fourteen million dollars. On that fourteen million dollars the bank last year had a profit of $1,236,984. That is about 9 per cent, although they state that it is at the rate of eight and one-half per cent upon the average paid-up capital and reserve fund. Then the report goes on to say:

The surplus has been applied as follows:

(a) For dividends at the rate of 12 per cent per annum amounting to $834,783.

and then there are 'contributions to pension fund,' and 'written off bank premises,' and so on. The balance on account carried forward is $1,265,919. So that this institution, which is not one of the biggest or greatest banks in the country, just a medium sort of bank, has been making money at the rate of somewhere about ten per cent during the past year. My point is this: I take that bank as a sample of all the other banks. While making ten per cent for its shareholders, the bank pays to the people who make deposits with it only three per cent. It seems to me that is altogether too big a profit for any one to make on an investment. They get the money at three per cent and they make ten per cent on it. In some cases the money is loaned at six, sometimes seven and eight, and away up to twelve per cent, I suppose. The practical fact is that they pay dividends, according to their own statement, considerably over nine per cent. I do not think that is a satisfactory condition of things. I said last year:

That shows that bank stock is a very good property. I am not finding any fault with the directors or shareholders of the banks. The more prosperous they are the better, but the question is whether they might not be a little more liberal with their depositors.

I shall not say anything more about those bankers. They get an enormous sum of money. Last year I said there deposits were $635,000,000. This year they are not less than that—I believe they are more. There was a case that I instanced last year, of an hon. member of this House who deposited a considerable sum of money in a bank and could get only three per cent interest on it. He went in his capacity as trustee to borrow about the same sum from the same bank, and he had to pay seven per cent. How is it that the banks are able to do this—to exact what I consider is undue profit out of the money with which their depositors supply them. It is because the Government, who ought to be interested in the whole population, and more particularly in that section of the population who put their money on deposit in savings banks—they are generally people of comparatively limited means but of frugal habits, careful, well-living citizens—set the example. The Government should do something to relieve these people. They have the power without any change in legislation to raise the rate of interest on deposits in the Post Office

Savings Banks, and the other savings banks to four per cent. The rate was four per cent some years ago.

Hon. Mr. CASGRAIN—It was five per cent at one time.

Hon. Mr. POWER—Within a comparatively recent time it has been four per cent. Having that power and seeing the position of things, I am surprised that the Government does not raise the rate to four per cent. I called attention last year to the fact that the Government was paying something like 3.75 per cent for money borrowed outside of Canada. This year we are paying four and a half per cent, or thereabouts. Why should the Government pay four and a half per cent to outsiders whose money they wish to use, and pay only three per cent to their own citizens? It is a most unfair and indefensible condition of things. Last year, speaking of the people who put their money in the savings banks, I expressed these views:

> The people who have money in the post office saving bank and the savings banks conducted by the chartered banks, are people of comparatively limited means who deserve every encouragement and help that can be given them by the Government without any injustice to others. Then, as was indicated by the hon. gentleman from Victoria division, the important feature is that the effect of this increase of rate paid on money deposited in the Government savings banks, would be to practically compel the various chartered banks to pay to their depositors the same rate as is paid by the Government. Hon. gentlemen may be surprised to know that that would result in a distribution of about $6,350,000 a year more amongst a deserving class of our population than is distributed at present. That is, I think, a matter of very considerable importance. I trust that the Government, who, as I have said, look upon it as their duty to protect classes of the community that are better able to protect themselves than the depositors in the savings banks are, from competition from outside, will see that our comparatively poor and humble people shall be treated at least as liberally as the persons outside of Canada from whom the Government borrow money.

There is only one word more that I think well to add, that the condition of things this year is more urgent than it was last year; there is more poverty, a greater absence of employment and of funds amongst the people of Canada to-day—that is amongst the people who might be expected to deposit in these savings banks—than was the case last year. If I were making an appeal this year I should like to make it in a stronger form than I did last year.

Hon. Mr. CASGRAIN—I am very glad the hon. member from Halifax has brought this question up, because I have been looking for a long time for an opportunity to bring before this House the fact that it would be quite possible for the banks to pay larger rates on deposit if some law could be devised for limiting the enormous extravagance entailed in building edifices for the banks, that are not at all in keeping with the business. Some years ago I passed through a street of Edmonton, whose population then was not over 15,000 people, and I found some sixteen banks there; and on one lot which had been bought for the purpose of putting up a bank building, the enormous price of $80,000 had been paid. Those buildings and lots must be paid for out of the depositors' money on which the banks pay interest. None of those banks could make interest on such investments. In Montreal at this very moment, the Bank of Toronto, corner of McGill and St. James streets, is actually tearing down a beautiful building erected only a few years ago in order to put up a new building. The Bank of the Eastern Townships on the opposite corner of McGill and St. James streets, facing Victoria Square, put up a tremendous building, and turned the upper part into offices; later on that Eastern Townships Bank was merged into the Canadian Bank of Commerce, and they are renting the building for offices and must be getting a very small return on the great cost of that building. The present Minister of Finance, who has been active in financial business throughout the country, as manager of the National Trust Company —some people think he has been very active in bringing down Bills to regulate trust companies and so on—might introduce an amendment to the Banking Act, by which the banks should be limited in their investments in real estate. Not very long ago the state of New York passed a law forbidding insurance companies there from having more than a certain amount of their money invested in real estate. The New York Life Insurance Company had a great building in Montreal which cost them over $700,000, and they had to sell it for $325,000 to the Quebec Bank, which is in it to-day. I would suggest that the leader of the Government in this House might call the attention of his colleagues, during recess, to this matter. It would be a very popular measure for this or any other Government to bring in legislation restricting that great expenditure. The Canadian Bank of Commerce has built in Montreal a most expensive building for a branch bank. I have no fault to find with the Canadian Bank of Commerce, nor with the Bank of Montreal.

Still I claim that they have actually squandered money. I venture to say that the banking house of the Bank of Montreal in Montreal, the building itself, cost more money than the banking house of the Bank of England in London, and I believe it covers just as much space. This is unproductive capital. The building of the Bank of Commerce is entirely occupied by the bank; it is a one story building on the most expensive land in the city of Montreal. That may be all right, but what was the necessity for tieing up the depositors' money in such a large amount, in one place? Throughout the city of Montreal every man who has a corner and wants to get a big price for it is waiting for some bank to come on and pay him a fancy price for it. And they say 'we will sell that to a bank' as though the bank were an institution that was willing to pay any price, regardless of the value of the property. When a man has a lot that nobody will purchase for commercial purposes, he holds it out and approaches the directors of a bank and has them build a bank there. There are some localities in Westmount where there are banks on four corners, and those banks are there simply to obtain deposits. Those banks do little or no discounting; they are no use for commercial purposes, but are there simply to receive the deposits of the people, and that money goes to the head office where nearly all the discounting, and all the large business is done. If it were possible—and I do not see anything in the law to make it impossible—that henceforth banks would be prohibited from building edifices that would be out of keeping with the capital they have, it would be a great improvement. I remember in 1870 when I first had an account in the City and District Savings Bank at Quebec, the depositors were getting five per cent for their money. Years afterwards the interest was reduced to four per cent, and now it is three per cent. The City and District Bank of Montreal, when it was founded, did nothing else but take deposits, and had no commercial transactions: the bank loaned out its money on municipal debentures, and other good securities. The principal of those savings banks was that all the interest or profit that was to be made out of those institutions, was to be distributed annually amongst the depositors. If you go back to the time the charter was granted you will find that was the purpose. That is not being done at all now, and that stock to-day, on which $30 a share was paid, is worth $1,250. I claim in that case, depositors have not had the benefit which the Parliament intended them to have when these banks were founded; the sooner those banks return to the intention for which they were founded—that is giving the poor people the full benefit of the interest—the better. They paid a higher rate of interest at one time but they changed their rates, with the other banks. I may be feeling a little hot about this thing, but if the Government will take these suggestions into consideration I am sure such action will meet with the approval of this country, from ocean to ocean; it will prevent this extravagance which does nobody any good. I would like to know at what amount the branch bank building of the Canadian Bank of Commerce stands in their book. I would like to know what that bank costs, and what it represents as a rental; and so on with regard to their branches all over in the same way. It looks as though they thought the solid stone front, cut glass windows, and gilt letters would entice the public and make them think the bank was solid, because it was a bigger building than another bank.

Hon. Mr. LOUGHEED—This subject has been before the public from time to time, but at the present time the Government has not seen its way to increase its interest.

A QUESTION OF PRIVILEGE.

Hon. Mr. CLORAN—Before the Orders of the Day are called I regret very much, under the privilege of a motion of adjournment of the House, to have to call the attention of the Senate and Government to a condition that must not be allowed to exist any longer. I gave the Minister of Militia credit the other day for having rescinded his order against the 65th regiment taking part in the Corpus Christi procession. I was too previous. It appears that the order has not been rescinded or countermanded. We find to-day in the organ of the ex-Government, an article calling upon the present Government to undo the work of its Minister of Militia, otherwise there will be trouble. In last night's paper the Conservative organ in Montreal, La Patrie, made a still stronger appeal to the Government to rescind this ill-timed order of Col. Sam. Hughes; otherwise there will be trouble. As it says there is a great deal of uneasiness among all classes of people in Montreal and throughout the province, and that this uneasiness will grow because the people who are intended to be insulted by this order are not confined to the province of Quebec. The people that Col. Sam. Hughes' order means to insult and outrage

have votes, from Prince Edward Island to Vancouver—let the Government beware. La Patrie, the Conservative organ, and Le Canada of this morning call upon the three ministers by name—Mr. Coderre, Secretary of State, into whose hands they want to put our nationalization rights; Mr. Nantel, Minister of Inland Revenue, and Mr. Pelletier, Postmaster General—to do their duty by the people whom they represent in the present Cabinet. Are they going to do it? I am afraid not—not any more than they did their duty by Mr. Monk, the late lamented member for Jacques Cartier in regard to the naval policy. They have weak knees and they bow down before Col. Sam. Hughes.

Hon. Mr. LOUGHEED—I should like to ask what is before the House.

Hon. Mr. CLORAN—A motion to adjourn.

Hon. Mr. LOUGHEED—I should like the hon. gentleman to state the urgency for making such a motion.

Hon. Mr. CLORAN—It is immediately urgent. Last Monday when I rose to call attention to the matter—

Hon. Mr. LOUGHEED—I want the hon. gentleman to state the urgency.

The SPEAKER—The hon. gentleman from Victoria division (Hon. Mr. Cloran), is completely out of order. There is nothing before the House.

Hon. Mr. CLORAN—I made a motion for adjournment, seconded by the Hon. Mr. Lavergne.

The SPEAKER—I believe the hon. gentleman is required to confine himself to the question of urgency, and not to speak on everything.

Hon. Mr. CLORAN—I was calling attention to the state of affairs in Montreal—

Hon. Mr. LOUGHEED—I rise to a point of order.

Hon. Mr. CLORAN—I do not want to be interrupted by the hon. leader of the Government.

Hon. Mr. LOUGHEED—I rise to a question of order.

Hon. Mr. CLORAN—I will not be interrupted.

Hon. Mr. LOUGHEED—I want to state my point of order. Before a motion of adjournment is in order, the urgency which justifies the member in moving an adjournment must be stated. I now ask to have the House apprised as to what the urgency is.

Hon. Mr. CLORAN—The urgency is an insult to a large section of the people of Canada. Is not that a matter of urgency?

Hon. Sir MACKENZIE BOWELL—No.

Hon. Mr. CLORAN—We want it wiped out now.

Hon. Sir MACKENZIE BOWELL—Allow me for a moment—

Hon. Mr. CLORAN—I do not want to be interrupted.

Hon. Sir MACKENZIE BOWELL—I should like to ask the hon. gentleman if he has not seen in the Citizen of this morning that the Minister of Militia has denied most positively that he ever issued such an order—that the order has been on the books for years and years.

Hon. Mr. CLORAN—If the hon. gentleman had kept his ears open he would have heard me say so.

Hon. Sir MACKENZIE BOWELL—I did keep my ears open.

Hon. Mr. CLORAN—I have quoted from the chief organ of the Opposition, and from the chief organ of the Government, a protest against the order issued by the Minister of Militia.

The SPEAKER—It would be better to proceed with the business of the House and when there is a motion for an adjournment the hon. member can make his remarks.

CANADA SHIPPING ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (223), An Act to amend Part X of the Canada Shipping Act.

(In the Committee.)

Hon. Mr. LOUGHEED—I explained to the House yesterday the object of this Bill. I might say further that the court for which provision is being made in the Bill will consist of the following members:

Lord Mersey, chairman.
Sir A. Routhier, Admiralty Judge for the province of Quebec.
Hon. E. McLeod, Chief Justice of New Brunswick.
With this court there will sit as assessors:
Captain Demers, Wreck Commissioner for the Dominion of Canada.

Engineer Commander Howe, of the Canadian Naval Service.
Professor John Welch, naval architect, Newcastle England.
Commander W. F. Caborne, Royal Naval Reserve, London, England.

Of the above, Lord Mersey, Prof. Welch, and Commander Caborne have been recommended by the Imperial Government, and will represent that Government in the sittings of the commission. The other members of the commission have been appointed by this Government and will represent Canada.

Hon. Mr. BOSTOCK—This is an amendment to the Shipping Act, chapter 113, and I would like to refer my hon. friend to clause 185 in the Shipping Act, which reads as follows:

Where a formal investigation into a shipping casualty involves or appears likely to involve any question as to the cancelling or suspension of the certificate of a master, mate, pilot or engineer, the court will hold the investigation with the assistant of not less than two assessors having experience in the merchants' service.

It seems to me it is necessary to appoint two assessors by this Government. Is the assessor the hon. gentleman mentioned as coming from England appointed by this Government or the British Government?

Hon. Mr. LOUGHEED—This amendment to the Shipping Act proposes to constitute a new court, giving full authority to that court to deal with all the questions involved which will arise out of the wreck of the ship in question, so far as the public is concerned. The difficulty under the old law was that the power of the minister or the Government was so abridged as to prevent his appointing any one outside of Canada. As I stated before the ship was a British registered ship; it therefore devolved upon the imperial Government to take the necessary steps to hold an investigation into the loss of the vessel. A like duty fell upon this Government. It would therefore be undesirable for two investigations to be held, one in England and one here, as to the same accident; this happy method has been devised of overcoming that difficulty.

Hon. Mr. ROCHE—This is an extraordinary transaction. It is a unique one—a special selection of men from the Royal Navy and Royal Naval Reserve to try a brother member of the Royal Navy Reserve, the captain of the Empress of Ireland. It is rather an extraordinary position, and perhaps the circumstances may have justified the departure from the ordinary course, but I would ask the minister what influence this tribunal may have upon civil suits now pending? There was the British ship which was unfortunately run down, and the ship of a foreign nationality, which either was at fault or was justified in the course taken. What effect will the constitution of this extraordinary tribunal have upon the civil suit which is pending and which will afterwards be decided by our court?

Hon. Mr. LOUGHEED—I am not prepared to say that.

Hon. Mr. DANIEL, from the committee, reported the Bill without amendment.

The Bill was then read a third time, and passed.

PROROGATION.

Hon. Mr. POWER—Before the adjournment I should like to ask the hon. leader of the Government when he expects that we shall have prorogation.

Hon. Mr. LOUGHEED—It is thought about Tuesday.

Hon. Mr. POWER—Next Tuesday or Tuesday week?

Hon. Mr. LOUGHEED—This next Tuesday, if not Monday.

Hon. Mr. KERR—Is it the intent of the Government to withdraw the Bills which are now before the House, so that they may be able to prorogue on Tuesday?

Hon. Mr. LOUGHEED—I think not. Of course it is entirely in the hands of the Senate. My hon. friend did not ask me when the Senate proposed to get through, but when the Government thought to get through.

The Senate adjourned until Monday at eleven o'clock, a.m.

THE SENATE.

Monday, June 8, 1914.

The SPEAKER took the Chair at Eleven o'clock a.m.

Prayers and routine proceedings.

CANADIAN NORTHERN RAILWAY GUARANTEE BILL.

INQUIRY.

The Order of the Day being called:

Hon. Mr. BEIQUE inquired:

Is any part of the proceeds of the guaranteed securities mentioned in Bill 214, intituled: 'An

Act respecting the Canadian Northern Railway System intended to be applied to the payment of debts owing to Sir William Mackenzie and Sir Donald Mann, or to either of them, or to the Mackenzie, Mann Co., Limited, or to Northern Construction Co., Limited, or to the payment of liabilities for which the said Sir William Mackenzie and Sir Donald Mann, or either of them, or either of said companies are directly or indirectly responsible, and if so, what is the amount in each case and the nature and amount of the securities, if any, given by the said Sir William Mackenzie and Sir Donald Mann, or by either of them, or by either of said companies, as security for the payment of such liabilities?

Hon. Mr. LOUGHEED—I told my hon. friend on Saturday that his inquiry had been answered, it appeared in the 'Hansard' of Friday.

Hon. Mr. BOSTOCK—Did the hon. gentleman ask for further information in regard to it?

Hon. Mr. LOUGHEED—I have given him that information.

MAIL SERVICE TENDERS—RAILWAY STATION.

INQUIRY.

Hon. Mr. FARRELL inquired:

Respecting the mail service between the town of Liverpool and the railway station at Liverpool, as follows:

Were the tenders considered with special reference to the amount named, or was the service given to Mr. Balcolm on a special private bargain?

Hon. Mr. LOUGHEED—The answer to to the hon. gentleman's inquiry is as follows: Before the question was decided, Mr. Balcomb wrote a letter to the department offering to reduce his tender from $375 to $275 per annum.

ST. JOHN HARBOUR AND MAIL CONTRACTS.

INQUIRY.

Hon. Mr. COSTIGAN inquired:

If it is the intention of the Government to discriminate against the harbour of St. John, N.B., in contracts for mail service, and if the complaint of the Board of Trade is well grounded that the Post Office Department in preparing a statement of the mails shipped from St. John, N.B., did not report the mails sent by the Canadian Pacific railway or by the Intercolonial railway?

Hon. Mr. LOUGHEED—The answer to the hon. gentleman's question is: no.

NATURALIZATION AND ALIENS ACT.

IN COMMITTEE.

The House resumed in Committee of the Whole consideration of Bill (173) An Act respecting British Nationality Naturalization and Alien.—Hon. Mr. Lougheed.

(In the Committee.)

On clause 2,

Hon. Mr. BOSTOCK—When this matter was up on Saturday there was a good deal of discussion about the question. I would like to draw the attention of the House to some remarks that were made by Rt. Hon. Winston Churchill at the imperial conference held in London in 1911 when this question was very fully discussed; possibly these remarks may throw some light on the position taken at that time by the gentlemen representing the different parts of the empire, who were discussing this question of naturalization. The matter was very fully gone into, and was discussed from several points of view. I do not want to detain the House by going into the whole discussion, but it would be of interest to the House to have the opinion expressed by Mr. Churchill himself, after the discussion had been proceeding for some time. On page 257 of the reports of that imperial conference Mr. Churchill is reported to have spoken as follows:

I am forced to the conclusion, after considering very carefully the objection which has been taken to the draft Bill, and having the advantage of discussing the matter with the learned Solicitor General who is here this morning, that if we are to give effect to the resolution proposed by Mr. Batchelor, and to the wishes which Sir Wilfrid Laurier has expressed we shall have to face two standards of naturalization. There will have to be the local law, and there will have to be an imperial standard.

Hon gentlemen are probably aware that for the purpose of facilitating the discussion of this question and driving it into a concrete form a draft Bill had been sent around to the different dominions for the purpose of allowing the members of the government of each dominion to consider the matter, and the gentlemen who were present at the conference to have an opportunity of putting the question into more or less concrete form. Of course the draft Bill was only submitted tentatively in order to allow that discussion. Mr. Churchill therefore went on to say:

What I would further suggest is this, if I may make a tentative suggestion to the Commons that it should be open to any person who has obtained a certificate of local naturalization in any of the dominions and who in addition to that local certificate of naturalization, has resided for five years in any part of the British Empire to apply for a certificate of imperial naturalization. He would apply, of course, to the responsible minister of the dom-

inion or state in which he was resident, and if the responsible ministers endorsed his application the Government, upon an advice in the ordinary manner, would issue the certificate. In that way it would be possible to allow of the existing diversities of existing legislation to continue untouched. There would be no need to alter all those laws, although it is very possible that there would be a gradual tendency to assimilate them; but that would be a matter which time, and circumstances and the opinion of the dominions concerned would solve in their own way. There would be no necessity at all to alter the existing diversity of practice. I think in a great majority of cases persons would be quite content to remain in the employment of local naturalization, but if they wished to go further, two years later in the case of Canada, or three years later in the case of Australia, they could by application to the Government or under any other condition the Government of the Dominion might prescribe, take out papers of imperial naturalization, and those papers of imperial naturalization, based as they would be not only upon the local citizenship but also upon the five years qualification, ought to be current throughout the British Empire.

Further on he says—

I practically finished what I have to say, and I will just summarize my points in five propositions;

1. Imperial nationality should be world-wide and uniform, each Dominion being left free to grant the local nationality on such terms as its legislature thinks fit.
2. The mother country finds it necessary to maintain the five years. This is a safe-guard to the Dominion as well as to us. The five years anywhere in the empire should be as good as five years in the United Kingdom.
3. A grant of nationality is in every case discretionary, and this discretion should be exercised by those resident in the area in which the applicant has spent the last 12 months.
4. The Imperial Act should not apply to the self-governing Dominions until adoption by them.
5. Nothing now proposed would affect the validity and effectiveness of local laws regulating immigration and the like, or differentiating between classes of the British subjects.

I should like to draw the attention of the House to the first of those clauses, which says that imperial nationalities should be world wide and uniform, each dominion being left to draft local nationality on such terms as its legislatures thinks fit. On examining into the Bill that is now before us, it does not seem to leave it open in any way for that to be done. I would ask the hon. leader of the Government if he could give us any information why the imperial authorities seem to have found reason to change their views, as stated by Mr. Churchill.

Hon. Mr. LOUGHEED—If my hon. friend will consider carefully the effect of Mr. Churchill's statements, he will find that the imperial authorities have not expressed any preference or favour for local naturalization. Mr. Churchill, in the remarks he made, is simply giving expression to some criticism which had arisen as to the adoption of the five years' term by some of the overseas dominions, but has not expressed himself favourably to it, except by saying that the overseas dominions should exercise their own discretion as to local naturalization. Mr. Churchill or any other imperial statesman could not say anything else. Of course the overseas dominions will exercise their discretion as to what they will do within their own boundaries, but he accentuates the necessity for the United Kingdom of a five years' residence, and if five years' residence in the United Kingdom is necessary to constitute citizenship, the reasons are infinitely stronger why that term should be adopted in Canada, where we are receiving within our borders every year hundreds of thousands of foreigners, many of them absolutely uneducated, many of them having only the slightest conception of the obligations of citizenship, and not understanding the many conditions which must necessarily arise in performing the duties of citizens. Surely five years does not constitute too long a term for those people to assimilate themselves with our institutions. Take for instance the immigrants who come from southern Russia; take for instance the hundreds of thousands who have and will come from southern Europe, who have no education at all, who have, as I have already said, only the slightest conception of the duties of citizenship, who have to be educated, and who have to familiarize themselves with our institutions. Are you, in three years going to say that those people should be placed upon a plane with those who have been born within our boundaries, who have been educated within our institution, who have spent a good part of their lives in training for the duties of citizenship Five years is short enough for this purpose.

Hon. Mr. BOSTOCK—I did not want to interrupt my hon. friend while he was speaking, but I do not think he grasped the point. It was not the five years that I was objecting to. It was generally admitted at that conference that five years should be adopted, but the point I wanted to make was that it was left more or less open with each Dominion, if they wished, to continue the system of naturalization that they have themselves: therefore the point that hon. gentlemen in this House

were trying to make on Saturday, was that it might be as well to allow the present Naturalization Act to stand and give the aliens an opportunity of being naturalized either under the present Act or under this measure as a British subject. Of course if they were naturalized under a Canadian Act all they would have would be Canadian naturalization. If they wanted to become British subjects they would have to be naturalized under another law.

Hon. Mr. LOUGHEED—That may be, but as I pointed out to my hon. friend on Saturday, that involves a dual system of naturalization. I do not think any such system will be found in any part of the world. My hon. friend cannot be serious in regard to that. I do not think, on consideration, that he would contend that we should have two systems of naturalization in Canada, that we should take those aliens and make them British citizens in Canada after a residence of three years. It is infinitely more important to Canada that the five years should be enforced as to Canadian citizenship than as to British citizenship. Canada is more interested in those people being properly fitted to discharge the duties of Canadian citizenship, than we are interested in their performing the duties of British citizens. We are not so much concerned as to the status of the alien, once he goes outside the boundaries of Canada. It is infinitely more important that we place proper restrictions about his qualifications to become a citizen of Canada, and to avail himself of all the liberties and advantages we give him within our own boundaries. While I am free to confess that the adoption of a dual system might not interfere with this system of imperial naturalization, yet it is a question of policy for the Government, and I would say to hon. gentlemen that the Government took it up on Saturday last, after it had been discussed in the House, and we gave as deliberate consideration to it as we could, and came to the conclusion that it would be very unwise indeed to establish a dual system of naturalization within Canada, particularly based upon the three years' residence by aliens within our own country.

Hon. Mr. DANIEL—I wish to correct an impression that was made by the hon. gentleman from Portage la Prairie in reply to the statement by the leader of the Government that it required five years' residence in the United States to become a citizen of that country. He said that by a declaration of intention, the qualifications and privileges of citizenship could be obtained after a less period of residence. I find in looking up the law in the United States on naturalization that such is not correct; the leader of the Government was entirely correct; that it takes at least five years' residence in the United States for any alien to become a naturalized United States citizen. He might make his declaration of intention, but that declaration of intention is one of the necessary antecedents to his naturalization, and confers no right of citizenship whatever. He may make his declaration of intention as soon as he arrives in the country. It must be done two years before he obtains his naturalization, but the clause relating to the naturalization is very distinct indeed. It reads—

'No alien shall be admitted to become a citizen who has not, for the continued term of five years next preceding his admission resided within the United States.'

Now what does it say with regard to the declaration of intention? The clause reads as follows:

'The declaration of intention; the first step in the process of naturalization is a declaration of intention. The applicant shall declare upon oath before a proper court at least two years prior to his admission that it is bona fide his intention to become a citizen of the United States.'

As to the time of making this declaration, it may be made immediately after the arrival of the alien in this country. It must be made at least two years before he is admitted to citizenship.

Hon. Mr. WATSON—What privilege does the declaration give the alien?

Hon. Mr. DANIEL—It does not give him any privilege except this: that he must make it at least two years before he is admitted, and if he does not make it—if he lives in the United States ten years, and does not take out that declaration of his intention—he would still have to make it, and remain two years longer before he could get his naturalization. It is one of the antecedent steps to naturalization and it must be made at least two years before the naturalization can be accomplished.

Hon. Mr. WATSON—Does the declaration not give him the right to take part in the municipal election in some of the states at least?

Hon. Mr. DANIEL—It gives him no right of citizenship whatever, because the Act says distinctly that he can make his declaration of intention immediately, and does

not have to remain any time before he can make that declaration. The laws of the United States are very different from ours; moreover, they had a commission regarding naturalization in the United States some three years ago, and that commission reported, and there was one thing that they were very distinct on, that the term of residence before naturalization should be at least five years. They made that very distinct indeed, and I think for one, that in giving an alien—a man entirely without any knowledge of the free institutions that we have in this country, coming here not knowing anything about it—the great boon that five years is not at all too great a time to exact from him, in order to enable him to become properly acquainted with the institutions of the country, the language of the country, something about the constitution of the country, and the responsibilities which citizenship throws upon him. I do not think it is asking too much of him to say he must stay here five years before he can acquire that right. Certainly as far as the United States is concerned the law is absolutely clear that an alien must be at least five years in the country before he can be admitted to citizenship.

Hon. Mr. YOUNG—I do not think there is any very pronounced difference of opinion as to the five years' feature of this Bill; that is increasing the time from three to five years' residence before an alien is entitled to make application for his citizenship, but there is one point in the matter that my hon. friend has brought out, and which has not been discussed to any extent yet, and it is worthy of notice. We, British subjects, naturalized or otherwise, think that it is an asset to any one to be a citizen of the empire to which we belong, and my hon. friend has read the United States Act, which, if I understand it rightly, necessitates a two years' notice in the United States before a man's naturalization application can be considered. That is a very important matter. We, while willing to extend to immigrants the rights of citizenship, surely have also a common interest that such distinction shall only be given to those who are worthy of becoming citizens of our country. Under this Bill three weeks' notice practically is all that is necessary for an applicant to give before applying for his naturalization papers. Look at the difference; with all their extended experience, trying to assimilate immigrants from all nations into one commonwealth, the United States find it necessary there shall be two years' notice, and our notice is only three weeks. I would like to direct attention to that feature, and ask if three weeks is enough notice to give in our case as against two years as required in the United States? I am sure the leader of the Government will admit we could deal with this and would it be wise to consider whether three weeks is not a very short period for the objections which might be raised to an applicant. Possibly this notice when posted up would scarcely be seen by anybody in three weeks. We must seriously consider, whether we are not too lenient in that direction, three weeks as against two years. Taking the experience of our friends to the south, while I would not advocate two years by any manner of means, I would certainly favour a greater period of time than three weeks' notice of application.

Hon. Mr. CLORAN—To clear the situation, I should like to ask the leader of the Government, if under this Bill every British subject will have a right to come into Canada and acquire citizenship, no matter what part of the empire he comes from.

Hon. Mr. LOUGHEED—If he is a British citizen under this Bill, if it should become law, by naturalization, his citizenship would extend throughout the whole of the empire. If he has been residing as an alien throughout any part of the British Empire, other than Canada, say four years, then his residence in Canada of one year would qualify him for citizenship. If he be an alien, he has to reside at least one year in Canada immediately previous to his being given citizenship.

Hon. Mr. DANIEL—The hon. gentleman wants to know if we are abrogating our immigration laws.

Hon. Mr. CLORAN—Yes. I asked that question to lead to another. Would it not come in conflict with the provisions of the Immigration Act.

Hon. Mr. LOUGHEED—Oh, no.

Hon. Mr. CLORAN—We have in our immigration laws provisons prohibiting the entry of certain peoples, such as the Chinese, Japanese and Hindus. Now, suppose a colony of Chinamen who have been in London or Liverpool or Glasgow for the past twenty-five or thirty years took it into their heads to come to Canada. They are naturalized British subjects. Would their coming here be in contravention of the Immigration Act?

Hon. Mr. LOUGHEED—The Immigration Act does not discriminate between British subjects and aliens.

Hon. Mr. CLORAN—It specifies the Chinese.

Hon. Mr. LOUGHEED—It does not discriminate. This would have no bearing whatever on the immigration law.

Hon. Mr. DOMVILLE—The Chinese who come from Hong Kong are all British subjects.

Hon. Mr. LOUGHEED—When I speak of Chinese, I mean residents of China.

Hon. Mr. WATSON—I quite appreciate the suggestion of the hon. leader of the Government that the immigrants from Europe who have little or no knowledge of our system of government should not be given citizenship until they have lived in the country five years and have some knowledge of what the duties of citizenship mean. But we have a great many citizens of the United States coming into this country who are of a different class. They come in tens of thousands, and they are well versed in municipal, local and federal institutions. In the western provinces, particularly Alberta and Saskatchewan, we have a very intelligent class of people coming in from the United States and from Germany. I understand in Saskatchewan there are about 120,000 Germans who are amongst the most intelligent people we have. They are accustomed to taking part in the public affairs of the country from which they come, and are anxious to take part in the public affairs of Canada. There are settlements where the whole community is of this character. Would you deprive those people of the rights of citizenship for five years? It seems to me if you do it will affect immigration. So far as the United States citizen is concerned, he is anxiously waiting the expiration of the three years time in order to take out his naturalization papers. These intelligent people appreciate our laws and our country, and are good citizens. They are quite as intelligent as our native born population so far as public affairs are concerned. It seems to me that any provision which would discriminate against those classes would be a mistake, and will probably affect immigration into Canada; because the intelligent United States citizen has been accustomed to taking part in the affairs of his own country and expects to be able to take part in the affairs of his adopted country within three years, and now you propose to make the term five years. Then on the other point referred to by the hon. member from Killarney (Hon. Mr. Young), if you are going to have a scrutiny by the Secretary of State of the people who apply for naturalization, you ought to give more notice to the community in which those people live. I agree with my hon. friend that the notice ought to be posted for a far longer date than three weeks. If we are going to have a scrutiny of all the complaints, if this is to be left with the Secretary of State to give him reason for rejecting the application of certain people for citizenship, the local people of the district must be given time to get information to the Secretary of State. After they have made the application and put in their protest the list should be posted longer than three weeks; three months would be a much more reasonable time to have the proper scrutiny. They often put notices in such places as are not to be seen at all by the people who might be interested; insufficient opportunity is given to people to see them.

Hon. Mr. LOUGHEED—I am quite willing that we should take that up when we reach clause 20, which deals with the length of time which should be given. That being purely a domestic provision, we could enlarge that time.

Hon. Mr. CLORAN—It would be a wise move.

Hon. Mr. YOUNG—The posting of the list as provided for in clause 20, should take place not only in the office of the court, the court building so to speak, but also in the post office of the locality where the applicant resides.

Hon. Mr. LOUGHEED—We can take that up.

Hon. Mr. YOUNG—In the West those courts are sometimes so far removed from the applicant's residence that the men who would be in the best position to judge of the qualification of the applicants, would not be warned; but they might have an opportunity if the notices were posted also in the post office where the applicant resides.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. THOMPSON—That would be a wise provision, but generally speaking there is no disposition on the part of a man's neighbours to prevent him getting his naturalization papers, unless in very special cases; the sympathy of the neighbour is in the direction of affording the individual his

naturalization rights as early as they can conscientiously agree to his having them. This is not at all a troublesome question in the province from which I come, and I fancy there would be very few applications there. I would like to ask the leader of the Government why it is necessary that the Secretary of State should have such dominating powers, after the courts have decided that an alien has a right for naturalization? Although we have not come to this section yet, I would draw his attention to clause 24, which says that:

The Secretary of State may thereupon in his absolute discretion issue a certificate of naturalization.

After the court of a district in which a party may live decides that the party is entitled to naturalization papers, the Secretary of State in Ottawa should not have absolute discretion to reverse the decision of that court in the locality where the individual lives.

Hon. Mr. YOUNG—Without giving reasons.

Hon. Mr. LOUGHEED—That was peculiarly emphasized at the imperial conference of 1911. My hon. friend the leader of the Opposition read from the remarks of Mr. Churchill. That was one of the cardinal points agreed upon at the conference, namely, that the grant of nationality is in every case discretionary, and this discretion would be exercised by those responsible, in the area in which the applicant has spent the last twelve months; that is, in the dominion over the seas in which the applicant has spent the last twelve months.

Hon. Mr. THOMPSON—The court has the jurisdiction in the area in which he resides.

Hon. Mr. LOUGHEED—But 'area' refers to the Dominion, and that discretion must be exercised by some central authority. It could not be reasonably expected that all the courts in this Dominion, several hundred courts, could exercise discretion. You could not have uniformity in that way.

Hon. Mr. THOMPSON—The alien makes application to the court of the locality in which he lives, where the facts are available, and where the court knows all the facts. The court in that district certifies that this citizen is entitled to naturalization papers. But after that court in the district which knows the facts, has advised naturalization, the Secretary of State has absolute discretion to turn down that decision if he thinks proper. Once the court that happens to have all the facts before it respecting the application, states that it is satisfied that the applicant is entitled to naturalization papers, no other person should dominate the situation.

Hon. Mr. LOUGHEED—But my hon. friend will perceive that it is not a judicial discretion, but a discretion of the state. The state is about to qualify an alien as a citizen of that particular State, consequently it is a high official duty which must be performed by some central authority; and that authority is the authority recognized by all governments, namely, the Department of State. It is merely a formal matter after all.

Hon. Mr. THOMPSON—There could be no stronger grounds upon which a certificate of naturalization could be given to a citizen of Canada, than would be determined by the facts stated to a court in the locality where the situation was known. Although this Bill may propose to surround with dignity the conferring of this naturalization, something I cannot understand is why the Secretary of State should not forthwith issue a certificate after the courts throughout the country had determined the question.

Hon. Mr. LOUGHEED—As I pointed out to my hon. friend, this is only analogous to almost every Act of Government, for almost every such Act is subject to the discretion of the representative of the Crown in Canada, although that discretion is very seldom or ever exercised, only on the most extraordinary occasions and under the most extraordinary conditions. So in this case, if you place a duty upon an officer occupying a very high position in the state, you must clothe him with more or less discretion, you cannot make him simply an automatic machine to register what is done by some inferior officer; and it is only an expression, rather than any material effect embodied in it.

Hon. Mr. THOMPSON—The Secretary of State is given powers of revocation, so that he can exercise power at both ends. After the court has pronounced in the matter he can exercise discretionary power to refuse it, and under this Act he exercises another power to revoke a certificate at any time, so he has two powers.

Hon. Mr. WATSON—Surely the leader of the Government does not wish to convey to the House and the country the impression that the judges of the courts which at present issue the certificate of naturalization are inferior officers, because those are the people the Bill proposes to interfere with, by stat-

ing that the Secretary of State shall, without rhyme or reason, agree or disagree with the names they offer for naturalization. Because those are the people he is interfering with by saying that the Secretary of State may, without rhyme or reason, according to his discretion, deal as he pleases with the names of those who desire naturalization. It seems to me that this is an attempt to make the law relating to naturalization in the United Kingdom fit into our conditions here. I understand in England they are very particular about issuing naturalization papers, for the reason that they might naturalize an anarchist, or some other dangerous character. I do not suppose that one citizen out of a million in Great Britain is a naturalized citizen. In Canada the country is being built up by people from all over the world. In the western provinces at least fifty per cent of the citizens are naturalized. This is an attempt to fit into Canadian conditions a law which may be suitable for the United Kingdom, but which is utterly unsuited to us. I can appreciate the decision of the conference that any person who is to have protection all over the world should comply with certain conditions before he is naturalized. If he comes to Canada, before he is made a British subject, it is right that the Secretary of State or some high official should pronounce upon it, but to acquire Canadian citizenship is an entirely different proposition. I take exception to placing the courts in the position of inferior officers in dealing with naturalization, and giving the Secretary of State power to reject any recommendation they may make without giving any reason for his decision. Subclause 3 of clause 2 provides that he shall have absolute discretion in the matter, that he may without assigning any reason give or withhold a certificate as he thinks most conducive to the public good, and that there shall be no appeal from his decision. In some years we have a foreign immigration into this country of fifty or sixty thousand, and it will be simply impossible to have a Secretary of State give his personal attention to the naturalization of such a mass of population. The duty would have to be discharged necessarily to some lower official, such as has been referred to by the hon. leader of the House. I object to the Bill because it gives too much power to the Secretary of State to interfere with the courts, but if he is to be allowed to interfere, then he should be required to give some reason for rejecting an application for naturalization.

Hon. Mr. KERR—There are two points to be considered; one is the question of citizenship so far as it relates to the portion of the empire in which the person resides; the other is with reference to rights of citizenship in foreign countries. Those are separate and distinct matters, and it is most unfortunate that the existing conditions in this country—so far as local citizenship is concerned—should be interfered with, or that it should be deemed necessary to interfere with it at all. They are perfectly separate and distinct matters, and perfectly separate and distinct rights. No one questions to-day the right of those who have become naturalized, being British subjects in Canada. That, however, is a different matter to giving them rights of citizenship beyond Canada. This clause in question gives the Secretary of State the power to reject an application, with or without cause. The evidence may be entirely in favour of the applicant, yet of his own sweet will the Secretary of State may reject the application, either because he is too lazy to get up in the morning and sign the certificate, or because he thinks some special interest may be protected by withholding it. If there is one thing more than another in respect of which public policy should be definite and settled, it is with relation to our immigration laws. Constant tinkering with them, interference with the rights of immigrants, the conditions under which they may enter the country, and the length of time they must reside in the country before requiring certain rights, is a matter of supreme importance, because it will affect the future growth of the country. No one can imagine that an empire is to be built up here by the present population and their descendants. It would take too long. No one will pretend to say that immigration should be discouraged. The best thing we can do is to encourage proper and suitable immigration into this country. That is what will build up the Dominion. It brings in, not only people with their energy, but capital to develop our resources. But if we are to be interfering with the conditions under which these people are admitted, we are going to cast a slur on our present institutions and check the growth and development of the country. The Government should make a distinct cleavage between the rights of Canadian citizenship, which ought to be given to every person who seeks them and complies with the law, and imperial citizenship. If the present law is wrong it can be amended, but it seems to me that

it is good enough. Then why pass a law and say: notwithstanding anything which has been done in the past no man shall be entitled to a certificate of citizenship unless the Secretary of State approves? The Secretary of State may delay his decision because he wishes to close his office at a certain hour. Everything is left to his discretion. The Government would be well advised to reconsider this feature of the Bill. General citizenship is not a matter of so much import. So far as I can see the Act does not make provision for those who have already come to the country and who, by reason of being foreigners, might have to get certificates. Under the circumstances, it seems to me that the Government would be well advised to recast this Bill and make such provision as will leave the law as it is, so far as Canadian citizenship is concerned.

Hon. Mr. LOUGHEED—My hon. friend has not considered the difficulty of this dual system. Let me instance a case in which a difficulty might arise. Let us assume that we might have two systems of naturalization in Canada, one within our local boundaries and one of an imperial character. A Canadian citizen goes into a foreign country and is wrongfully imprisoned. He at once invokes his right as a Canadian citizen to be released, or to be properly tried, or to have all the rights accorded to him which would be granted to a British citizen. Canada is expected to intervene. What position is Canada in? Canada cannot enforce in a foreign country, the rights of a Canadian citizen—never has been able to do so. But if that man is a British subject Canada has the forces of the empire at her back. She at once enlists the action of the British consul, whoever he may be in that country, and the force of the British Empire; but Canada would be absolutely helpless in regard to protecting her citizens outside of Canadian territory. It is only necessary to mention it to show the absurdity of having two systems of naturalization. I am sorry that hon. gentlemen opposite are not inclined to take the same view of the subject as was taken by their leader in the House of Commons. Sir Wilfrid Laurier discussed this matter before the imperial conference in 1911; he was one of the most active in the discussions which took place as to the desirability of this legislation being adopted. He said:

'I say that this legislation at once ought to be remedied in some way.'

That is drawing a distinction as to the limited character of overseas naturalization.

'And a measure ought to be adopted whereby it would be universal, that if a man is made a British subject somewhere in the British Empire under authority delegated by this Parliament of Great Britain, then legislation to that effect should carry the power of naturalization, not only in the country in which naturalization has been granted, but all over the British Empire, or, indeed, all over the world. In other words, civis Britannicus is civis Britannicus not only in the country of naturalization, but everywhere. This principle, it seems to me, is the one which ought to be reached and ought to be adopted; otherwise we are liable to very serious complications. Therefore, I say that we should have uniformity in the effect of naturalization, and the principle should be adopted that whenever a man is naturalized, whether it be in the United Kingdom or in any one of the Dominions which derive their authority from the Parliament of Great Britain, the effect should be the same, and that man should be civis Britannicus all over the world.'

We can have only one system; otherwise the complications will arise which Sir Wilfrid Laurier himself has mentioned, and which I pointed out a few moments ago; and as the imperial authorities have laid down the principles embodied in part 2 as the outcome of the discussion which took place before the imperial conference, wherein all parts of the overseas dominions were represented, then I say we must accept this or simply fall back upon our own system.

Hon. Mr. KERR—That does not conflict with what I was saying, but is entirely in accord with it. What I advise was to provide for your British citizenship, but not in such a way as to deprive those who have already acquired it, or those we invite to come to this country, the rights of Canadian citizenship. A man may have a right to vote in one place; you may restrict him as to his place of voting. He may have property and interests in different provinces and different counties. We say with reference to that, we give you a right to vote.

Hon. Mr. LOUGHEED—I say advisedly that voting has nothing to do with this. Each province regulates its own franchise.

Hon. Mr. KERR—I am quite aware of that. I am using this question of voting to illustrate the point I wish to make. There is no reason why you should not grant Canadian citizenship and give any one a right as a citizen of Canada to vote after he has lived here a certain length of time, but if he wants to assert the larger right of being a British subject, give him the right under this legislation. Limit the Act so that it will not interfere with the present law as to Canadian citizenship under which a man

may take the oath and exercise his rights as a citizen of the Dominion.

Hon. Mr. DOMVILLE—How could a man be a voter in any province of the Dominion who was not a British subject?

Hon. Mr. BEIQUE—I am altogether in accord with the remarks which have been made by the hon. gentleman from Toronto (Hon. Mr. Kerr). We all have high regard for Sir Wilfrid Laurier's opinion, not only the Liberals, but the Conservatives in this House as well, but we are not obliged to support any measure that he has been disposed to accept. We assert the right to exercise our own judgment. I do not dissent from anything that has been quoted from Sir Wilfrid Laurier's speech. I am perfectly in accord with the provisons of the present Bill, so far as what might be called the larger citizenship is concerned. The Bill is in the proper direction, and I am not disposed to amend it except in the direction indicated by the hon. gentleman from Toronto. My hon. friend the leader of the House says that a dual system of naturalization would lead to complications. I cannot follow the hon. gentleman in that. What we suggest is that a Bill be passed granting the larger citizenship, that under the terms of this legislation any one may become a British subject, as if they were born in England; but it does not follow that we should prevent anybody who desires to obtain what we may call Canadian citizenship, from acquiring it under the existing law. That cannot create any more complication than exists to-day. England is not under any obligation to-day to protect the naturalized Canadian citizen, because he is not a British subject.

Hon. Mr. DOMVILLE—Oh yes. I always thought that a Canadian citizen was a British subject all over the world.

Hon. Mr. BEIQUE—He is not a British subject. It will remain in the same position. I think there is some misunderstanding as to the effect of the Bill. As far as Canadian citizens and all persons naturalized before the passing of this Bill are concerned, they will get the benefit of the Bill, the enlarged citizenship, which is sought to be obtained by the passing of this Bill. If we reserve, as suggested by the hon. gentleman from Toronto, the Act, chapter 77 of the Revised Statutes of 1906, for the benefit of such persons as may desire hereafter to proceed under that Act, it will not prevent anybody else desiring to avail themselves of the larger provision to do so. I desire to call the attention of the Government to these two reasons. The first is this: There may be a number of United States people who are coming to this country every year, who would be disposed to become naturalized under the Canadian Act, and might not be disposed to come under the larger provision for some time to come. Are we not interested in inducing them to become Canadian citizens, even if they are not disposed to become British subjects at all.

Hon. Mr. GORDON—No.

Hon. Mr. BEIQUE—Should we not be disposed to facilitate that? I heard some hon. gentleman say no. I differ with him in regard to that. It seems to me it would be a step in the right direction on their part and when they are more familiar with British institutions they would appreciate the advantage of applying for larger citizenship. The other reason is this: this Bill is going to make a considerable change in the working of naturalization, as in operation hereafter; it is going to introduce this clause as to the powers of the Secretary of State. Should the Government not pass the Bill with the amendments which are suggested, and in a year or two, when the Government have seen the working of the Act and have had an opportunity of testing it, Parliament will be in a better position to say as to whether we should repeal entirely chapter 77 of the Revised Statutes. My suggestion is merely to pass the Bill as it is but to add to clause 34 something to the following effect:

Nothing contained in this Act shall prevent the issuing of naturalization certificates, which certificate shall have the same effect only as if this Act had not been passed.

I am sure most people will appreciate the advisability of applying for naturalization under this Bill, but those who are not disposed to do so will be at liberty to apply under the present Act.

Hon. Mr. DOMVILLE—Do I understand the hon. gentleman from De Salaberry to say that a Canadian is not a British subject? I understand that any one born under this flag does not require naturalization at all.

Hon. Mr. BEIQUE—I refer to naturalized Canadian subjects.

Hon. Mr. DOMVILLE—It would be a terrible thing to think that we Canadian subjects belong to France, Germany or Rome. We have the flag shoved out at us all the

time as the old flag, and yet we are not citizens of the empire. I do not understand the matter at all. As the hon. gentleman from De Salaberry has satisfied me we are British subjects, it would be well to see what effect this Bill will have, and next year, if the voice of the country is strong enough we might amend it.

Hon. Mr. DANDURAND—I may tell the hon. gentleman from Rothesay that if he had been born in the United States, as some gentlemen in official life have been, and had obtained letters of naturalization from Canada that those letters would not carry British citizenship beyond the borders of Canada. That is the statement made by the hon. gentleman from De Salaberry.

Hon. Mr. DOMVILLE—Any British subject born in the United States is still a British subject. He follows his father's nationality. And I go further: in England there was a special Act passed with regard to the Fairfax family of Virginia, confirming them as British subjects. I do not agree with my hon. friend that a man born in the United States of British parents is anything but a British subject; I say in no way is he a United States subject.

Hon. Mr. LOUGHEED—That is right.

Hon. Mr. CURRY—I believe with the hon. gentleman from Toronto that this country wants more population. That would mean more prosperity, and any legislation we pass should have in view the benefit of Canada and Canada's prosperity. Notwithstanding that, I believe that this Act will tend to the prosperity of Canada, and will encourage and not discourage immigration. It has come within my knowledge a number of times for years past that naturalized Canadian citizens have been seriously handicapped when they went back to their own country. A German friend of mine went back and he was arrested and called on to perform his military duties and not being able to stay there—having to come back to attend to his business—he had to steal away, and now he can never go back to Germany. It was the same way in the Balkan war. In Montreal there are a large number of Greeks and citizens of the different Balkan states and some of the men did not want to go and do military duty. What happened? Their property in those countries, if they had any, was confiscated. Their relatives were put in prison. If we had a law such as this as I understand it, it would exempt these people from that danger, and you will find that they will be protected if we pass this Act; when they go back to their own country the British flag will protect them.

Hon. Mr. KERR—The proposal of the hon. gentleman from De Salaberry is not to interfere with that in the slightest degree.

Hon. Mr. CURRY—But why have two Acts if 90 per cent of our people are going to become naturalized under this Act? The people who come across from the United States are so near home that I do not think it will affect them one way or the other whether the term is five years or three years, but we will be able to protect those people who do not understand the English language and are not accustomed to our ways. They will be protected when they return to their homes. That is the trouble with immigrants coming from Europe. Supposing we reject this measure and the other British Dominions enact it, it will simply mean that when our agents go to European countries looking for immigrants, people will say to them: If we go to Canada and become Canadian citizens, and return afterwards to our own country, we will be held here for military service.

Hon. Mr. CLORAN—Certainly.

Hon. Mr. CURRY—But the Australian agent comes along and he says: You come to our country and we will give you citizenship where the British flag will protect you. It would be folly for us to reject the Bill.

Hon. Mr. WATSON—The objections raised by the hon. gentleman surely could not hold good. He does not understand that we are going to enter into a sort of warfare with the Germans—that if a German soldier deserted, came to Canada, became a naturalized citizen, and then returned to Germany and got into trouble, that we would make it an imperial affair and protect him. If the hon. gentleman looks at subsection (c) of 2, he will find that when an applicant for citizenship in Canada makes that application he must declare that he intends if his application is granted either to reside in His Majesty's Dominion or to continue in the service of the Crown. So that if he leaves the country and goes back to Germany he has no right to protection.

Hon. Mr. CURRY—If he goes back for a visit?

Hon. Mr. WATSON—He takes the declaration that he is going to be a citizen of Canada. I call attention to this fact: that ac-

cording to subclause (a) of clause 2, and continuing on to subsection 2, a man may become a citizen of the empire if he resides in Canada only twelve months.

Hon. Mr. LOUGHEED—Yes, if he resides in other parts of the empire a sufficient time to make up the required period.

Hon. Mr. WATSON—He may have resided in India. The first schedule refers to where he may reside for the four years. It is:

The Commonwealth of Australia (including for the purposes of this Act the territory of Papua and Norfolk Island.)
The Dominion of New Zealand.
The Union of South Africa.
Newfoundland. Imperial Bill.

I do not know what the municipal laws or the condition of the people may be in Papua or Norfolk island, or what qualifications a man living there must have in order to become a proper citizen, but you provide that a man from these places has only to reside in Canada for twelve months to become a citizen. I call attention to subclause (b) of clause 2:

(b) That he is of good character and has an adequate knowledge of either the English or French languages.

It is unfortunate that the English or French language should be mentioned in this Act at all, because it is well known that we have in many districts of Canada desirable and intelligent classes of citizens who are familiar only with the German and Icelandic languages. I mention these two in particular, but there are other languages —people from other highly civilized countries come here and become familiar with the laws of this land and adapt themselves to it very rapidly. It is rather a mistake that the phrase, 'English or French languages' should be used there. If you require an educational test let it be an educational test, but do not set it down that the language should be either English or French, because every hon. gentleman in this House must admit that the people who are familiar with the German language are just as good a class of people as we have in Canada. Those who are familiar with the Icelanders must know that there is no more intelligent class of people to-day than they are. The Icelandic population which has come to our Northwest are probably the best educated people of their class in Canada, barring neither English nor French. It is well known that in Iceland there is no illiteracy; the Icelandic people in the West take scholarships, and are very highly educated. Still this Bill shuts down on any but either the French or English language. If a man is intelligent and educated we should leave out of the Act the language that he is versed in.

Hon. Mr. DANDURAND—The leader of the Government has stated that the instances when the Secretary of State would refuse an alien his certificate would be very exceptional indeed, and he cited cases as to the necessity for this certificate, when this alien goes out of Canadian territory. It seems to me it would have been very easy to fix the conditions under which the alien could get a certificate, after a due inquiry by the court, and imposing upon him the necessity of obtaining the certificate from the Secretary of State, when he wanted to maintain his British citizenship outside our borders. My hon. friend admits that clause 23, which bears on the finding of the court, will be satisfactory in ninety-nine and three-quarters out of a hundred cases, and will secure the alien his certificate from the Secretary of State. Clause 23 says:

23. If the court decides that the alien is a fit and proper person to be naturalized and possesses the required qualifications a certified copy of such decision shall be transmitted by the clerk of the court to the Secretary of State of Canada together with the application and such other papers, documents and reports as may be required by any regulation made hereunder.

Well, should not this finding of the court be sufficient to entitle the alien to exercise all the rights of a Canadian citizenship and make it imperative on him, whenever he wants to exercise British citizenship outside of our territory to obtain that further certificate from the Secretary of State? My hon. friend cited the opinions of the representative of Canada at the Conference of 1911, and those remarks sounded very queer to my ear, because I have the conviction from the reading of those reports that the Canadian representatives had stated at the Conference that there was unity of end, and unity of purpose to be attained, with diversity of conditions.

Hon. Mr. LOUGHEED—Yes, but I qualified that by saying that the Imperial authorities had laid down specific qualifications, and if we are to take advantage of those qualifications we have to come in line with those which they have adopted. It is for them to say what we shall adopt.

Hon. Mr. DANDURAND—It is for them to say what will be the conditions under which British citizenship will carry all through the Empire, but I contend that we

are masters of the conditions we may impose in order to grant citizenship in Canada. If my hon. friend had read just a paragraph following the one which he has read in Sir Wilfrid Laurier's remarks, he would have found that the official Canadian representatives spoke as follows:

Now, as to the method of obtaining naturalization, I agree with Mr. Batchelor that it would be extremely difficult to have the same methods adopted in every country. The circumstances vary very much; nothing shows that better than the variety of legislation which we have upon this subject. In Great Britain the period of probation before an alien can become a British subject is five years; in my country it is three years; in Australia it is two years; and in New Zealand I understand it is no period at all—a man can arrive one day and be naturalized the following day. That shows that the local conditions vary so much that uniform legislation is hardly to be attained. I see no objection for my part at all to this varied legislation; let every Dominion for itself determine what is the period of probation which it will subject an alien to before it makes him a British subject. I see no reason at all why the conditions should not vary as they do now. If we adopt these two principles, that is to say uniformity in effect but diversity of methods, I think we reach the solution we are seeking to obtain. That is the policy which I would submit to the Conference. If these two principles are recognized and adopted, I think we have found an easy solution of a very serious problem and one which has given us a good deal of trouble hitherto.

That was at the Conference of 1911 when this question was discussed and I find nothing in the conclusions of this conference which runs counter to this suggestion by Sir Wilfrid Laurier. I quite understand and realize that the British authorities would have laid down certain principles, and would have dictated the form which suits them, though completely in ignorance of our own conditions. There is centralization in the British Islands, and it is easy to reach that centre; but if Canada is to allow the courts over an area of 4,000 miles to examine into the claims of the alien, into the facts stated by him, and to declare that those conditions are satisfactory, and then send that certificate to Ottawa for the judgment of the Secretary of State —then I am fearful of what may follow. We are not legislating for present conditions, we are legislating for all time, and here we are laying down a principle which is at variance with the whole of our procedure heretofore. We should maintain the old procedure, with whatever modifications this Parliament may deem proper. Personally I do not object to making the qualification the limit mentioned, five years instead of three years, at the same time allowing the alien to obtain through the machinery that has existed in the past, his letters of naturalization, as far as Canadian citizenship goes, and providing that when he leaves Canada and wants to affirm his rights of British citizenship, he may carry in his pocket a certificate from the Secretary of State.

Hon. GENTLEMAN—Hear, hear.

Hon. Mr. CHOQUETTE—When a British subject, or a man from Canada, goes to the United States and takes out naturalization papers there in order to vote, and exercise the privileges of an American citizen, and then comes back into this country with his family, I have known cases in this country where objection has been made to such men voting. They have lost their right to vote by the fact that they were naturalized in the United States. I saw a case even, where a penal action had been taken against them. I do not remember the judgment in the case, but the point has been raised very often. I would like to ask my hon. friend if it has been brought to his attention, as to what is the position of a man who has taken out naturalization papers in the United States, coming back to this country. As a British subject has he a right to vote, or has he to be naturalized again?

Hon. Mr. ROSS (Middleton)—I referred to that on Saturday. A British subject who goes into the United States and becomes naturalized becomes an American citizen, and when he returns here he is an American citizen, and if he desires to become a British subject he must be naturalized again, and vice versa. That does not happen between any other countries in the world except between Great Britain and the United States. It happens by convention between Britain and the United States. We recognize their naturalization, and they recognize ours, but Germany, for instance, will not, or France will not.

Hon. Mr. CLORAN—Under what treaty is that?

Hon. Mr. ROSS (Middleton)—I do not know the date, but I was looking at one of the documents a few days ago in the Lower House.

Hon. Mr. CHOQUETTE—What is the meaning of the phrase 'Once a British subject, always a British subject'?

Hon. Mr. LOUGHEED—While he continues.

Hon. Mr. ROSS (Middleton)—Under this statute it is the same thing. If a British subject goes into a foreign country and acquires naturalization he ceases once for all to be a British subject, and if he comes back he will have to be naturalized.

Hon. Mr. CLORAN—How do you agree with the case of the Colonel of the British army whose father was a citizen of the British army; on the Colonel sailing from the United Kingdom and settling in the United States, and having children in the United States, those children are still British subjects?

Hon. Mr. ROSS (Middleton)—Certainly, because their father did not renounce his British citizenship, and the children follow the citizenship of the father.

Hon. Mr. CLORAN—And is that, according to your ipse dixit, that they are American citizens? They have not to be naturalized?

Hon. Mr. ROSS (Middleton)—He may be an American citizen there, but if he comes back to Canada he is a British subject.

Hon. Mr. CLORAN—The point I want to get at is this. The statement was made here that a child born of a British parent in the United States was a British subject. I say no, he is an American citizen, just the same as any child born in Canada becomes ipso facto a Canadian citizen. I am acquainted with the matter referred to by the hon. member for Grandville in regard to the exercise of citizens rights in this country by people who come from the United States, and who were formerly Canadians, born in the country, and who reremained here until they were twenty-five or thirty years of age, and then crossed over the borders to seek a living coming back. I have seen them refused the right to vote by Canadian officers, employees of the Government. What my hon. friend stated in that regard is absolutely correct, especially in the province of Quebec.

Hon. Mr. WATSON—About twenty-five years ago, Canadians going over to the United States and becoming American citizens, used to come back to Canada and exercise the franchise as voters in Canada.

Hon. Mr. CLORAN—They do yet.

Hon. Mr. WATSON—No, the oath or the declaration at the poll has been changed. It used to be, 'Once a British subject always a British subject', but now the oath is changed, and the oath is that they are not subject to any foreign country, if so they are consequently debarred from voting.

Hon. Mr. POWER—We have devoted a good deal of time to this particular clause of this Bill. My opinion when we began to consider this Bill was that if we were in favour of this Imperial naturalization, the wiser plan would be to deal with those clauses of the Bill which provide for Imperial naturalization, and then, if we wished to retain our own old system, or at any rate to retain certain features of it, that that could be provided for by saving clauses at the end of the Bill. But instead of adopting what I thought was a businesslike course, we have been talking over clause 3 which we have no power to amend. I would suggest that when the hon. gentleman who leads the House next moves the House into committee of the whole, that those hon. gentlemen who do not wish to proceed any further with the measure should do either one thing or the other, and I do not see any necessity of discussing this any further.

Hon. Mr. DANDURAND—I stated what had been the stand of the Canadian representative at the Conference of 1911; I said I did not believe there was any conclusion reached at the conference, contrary to the stand taken by Canada's representative. I am told by my hon. friend to the left (Hon. Mr. Bostock) that he cited the conclusions of the conference; I would like to quote here the remarks that were made in introducing those conclusions. Following Sir Joseph Ward, here is what was said by Mr. Churchill:

> I will ask them to begin drafting at once. May I propose then to the Conference this resolution which I will read and embodying the different points? 'That the Conference approves the scheme of Imperial citizenship based on the following five propositions:
>
> (1) Imperial nationality should be worldwide and uniform, each Dominion being left free to grant local nationality on such terms as its legislature thinks fit.

That shows the possibility in this land of a double naturalization, local and imperial.

Hon. Mr. BOSTOCK—Before the committee rises I want to ask the hon. leader of the Government if I understood he was agreeable to amending clause 20?

Hon. Mr. LOUGHEED—Yes, I see no objection to extending the time for notice in all those matters that are peculiarly

domestic. Outside the questions of policy upon which we have decided, I am quite content to amend.

Hon. Mr. BOSTOCK—Will the hon. gentleman make the amendment at the next sitting of the committee?

Hon. Mr. LOUGHEED—When clause 20 comes up I am quite satisfied that the proper consideration should be given to any amendments that may be suggested. My hon. friend from Killarney suggested three months. I am not prepared at the moment to say whether or not that is not too long. Two months would probably be quite sufficient; however, it is a matter of detail. I would like to say to my hon. friend from De Lorimier that I hold in my hand the English Act, and in section 9 of that Act this provision is made:

'This part of this Act (that is, part 2 of our Act) shall not, nor shall any certificate of notice granted thereunder, have effect within any of the Dominions specified in the first schedule to this Act unless the legislature of that Dominion adopts this part of the Act.

'(2) Where the legislature of any such Dominion has adopted this part of this Act, the Dominion shall have the like powers to make regulations with respect to certificates of naturalization and to oaths of allegiance as are conferred by this Act on the Secretary of State.'

Hon. Mr. DANDURAND—Yes, but that does not preclude the legislature in each dominion from adding a chapter providing for local naturalization.

Hon. Mr. LOUGHEED—That is a question of policy; to which we are opposed.

Hon. Mr. DE BOUCHERVILLE—A question was put a moment ago and I do not think it was answered—if a British subject becomes naturalized in the United States and comes back here does he become again a British subject?

Hon. Mr. LOUGHEED—No.

Hon. Mr. DE BOUCHERVILLE—I am told the answer was that he was not a British subject, and we have in the British North America Act a very clear declaration on that point in section 31. It is clear that he has no further right. If he accepts naturalization in a foreign state he ceases to be a British subject.

Hon. Mr. BOLDUC from the committee reported progress and asked leave to sit again.

The Senate adjourned until three o'clock.

Hon. Mr. LOUGHEED.

SECOND SITTING.

The SPEAKER took the Chair at 3 o'clock.

Routine proceedings.

AGRICULTURE AND FORESTRY.

MOTION.

Hon. Mr. BEIQUE, from the committee on Agriculture and Forestry, presented their Report and moved that it be concurred in.

Hon. Mr. CASGRAIN—I should like to draw the attention of this hon. House to the fact that what I predicted is exactly what has happened.

Hon. Mr. LOUGHEED—That makes it all right then.

Hon. Mr. CASGRAIN—That is to say, we have heard evidence but no result has been arrived at, there have been so many delays. I do not know if, even by concurring in this report, we can accomplish anything. There is a recommendation in this report to take up the matter next session. That I think is irregular because in a new session everything starts de novo.

Hon. Mr. BEIQUE—It will be for the Senate to decide what should be done. What does the hon, gentlemen suggest? The committee has made a very important inquiry. To what does the hon. gentlemen object?

Hon. Mr. CASGRAIN—What I object to is the recommendation as to what should be done another session. In the first place I do not think it is necessary, and in the next place I do not thing it is regular. I should like to have the ruling of His hon. the Speaker as to whether we can recommend what can be done at another session.

The SPEAKER—The conclusion of the committee is that this session is too far advanced to do anything this year. I cannot say that that is not true.

The Motion was agreed to.

LIMITATION OF RIGHT OF APPEAL.

MOTION.

Hon. Mr. BEIQUE, from the committee appointed to consider the advisability of limiting the right of appeal to the Supreme Court and Privy Council presented their second report and moved that it be adopted.

Hon. Mr. DANDURAND—Could the Chairman of the committee inform the House if the evidence taken by the committee is being printed?

Hon. Mr. BEIQUE—No. The evidence has not been printed. Evidence was given by Mr. Cameron of the Supreme Court and Mr. Ewart, and we think the best course to pursue is to prepare a report embodying such evidence as is important, so as to have the whole thing in a concise form. If we print forty or fifty or a hundred pages of a report nobody will look at it. If I should be on the committee next year the course I would suggest to be followed is, make a careful report collecting the evidence that is considered important. In the meantime the evidence taken this year has not been printed: it will be for the committee next year to decide what should be done about it.

The motion was agreed to.

CANADIAN NORTHERN RAILWAY GUARANTEE BILL.

INQUIRY.

Hon. Mr. KERR inquired:

1. What amount of bonds and what amount of stock had the Great Northern Railway of Canada outstanding at the time it became a portion of the Canadian Northern Quebec Railway Company?

2. When, to whom, and in what amounts had the said bonds or stock been issued, and what was the consideration paid or to be paid therefor?

3. Were the said bonds or stock subsequently acquired in the interest of the Canadian Northern Quebec Railway Company, and if so, when and by whom was the consideration given or paid for said bonds or stock?

4. Is the Government aware that, when the first issue of the Canadian Northern Quebec Railway Company 4 per cent debenture stock guaranteed by the Canadian Northern Railway Company was made, the prospectus contained a clause stating that the holders of the bonds of the Great Northern Railway Company of Canada had agreed to surrender their bonds at par, and that a portion of the proceeds of the issue of debenture stock would be utilized for the purpose of acquiring such bonds?

5. What portion of the bonds was so acquired? What was the consideration paid therefor, and to what corporation or person did such consideration go?

6. In the statement respecting the Canadian Northern Railway Company (page 32 of the printed documents) relative to the Government guarantee of the bonds of the Canadian Northern Railway, Great Northern Railway bonds guaranteed as to principal and interest are stated to be outstanding to the amount of $3,505,751. When and through what agency were these bonds disposed of, and are these bonds in the hands of the public, or are they or any of them held by or for Sir William Mackenzie and Sir Donald Mann, or either of them, or other persons by or through them, or by any interest associated with them either as owners or as security or otherwise?

Hon. Mr. LOUGHEED—The answers to the hon. gentleman's questions are as follows:

The information furnished the Government by the Canadian Northern Railway Company is as follows:

No. 1. Five per cent bonds, $26,000; four per cent guaranteed bonds, $4,786,750; common stock, $4,550,000; capital debenture stock, $3,000,000.

No. 2. See No. 3.

No. 3. The $26,000 of 5 per cent bonds were the balance of the bonds not exchanged for 4 per cent guaranteed bonds.

The 4 per cent guaranteed bonds were issued after Mackenzie, Mann & Company became interested in the Great Northern, and were issued as part of the scheme of reorganization under which Mackenzie, Mann & Company got control of the Great Northern. Before Mackenzie, Mann & Company got such control the Great Northern was in default in respect of interest payable on its bonds and those who were then in control applied to Mackenzie, Mann & Company for assistance with the result that on the terms of a scheme of reorganization approved by the Exchequer Court of Canada and agreed to by the committee representing the bondholders of the Great Northern, the 4 per cent guaranteed bonds were issued to be exchanged for terminal postal bonds at par and for 5 per cent bonds at the following rate of exchange, namely, $75 of 4 per cent guaranteed bonds for $100 of 5 per cent bonds.

In connection with and as part of the arrangements under which Mackenzie, Mann & Company undertook to carry out the scheme of reorganization for the benefit of the holders of 5 per cent bonds and for the benefit of other creditors of the Great Northern and in order to vest control of the Great Northern in Mackenzie, Mann & Company, the holders of a majority of the capital stock of the Great Northern agreed to turn in to Mackenzie, Mann & Company or their nominees a majority of such capital stock. The form that this turning in took resulted in the incorporation of the Northern Consolidated Holding Company, Limited in 1903, and which the company issued certain of its capital stock to holders of Great Northern shares and acquired a majority of the Great Northern capital stock.

The result was that the above Holding Company controls the majority of the shares of the capital stock of the Great Northern and that Mackenzie, Mann & Company, Limited, by ownership of a majority of the

Holding Company's capital stock controls that company.

No. 4. The prospectus states 'The holders of $1,514,500, part of $5,462,000, Great Northern Railway of Canada 4 per cent bonds, have agreed to exchange their bonds for stock of this issue at the rate of £97 of stock for every $500 bond. The holders of $1,440,000 (all), Chateauguay Northern 5 per cent first mortgage bonds and of $2,000,000 (all), Quebec, New Brunswick and Nova Scotia 4 per cent first mortgage gold bonds, have also agreed to exchange their bonds for stock at the rate of £205 5s. 6d. of stock for each $1,000 bond.

These are set out on page 31 of the printed documents.

Under the prospectus dated October 5, 1906, in connection with the offering in London, England, for subscription, £1,000,000 of the Canadian Northern Quebec 4 per cent debenture stock, it was also stated that with the consent of the trustees for the debenture stockholders under the trust deed securing the 4 per cent debenture stock an additional amount of such debenture stock could be issued to provide for the purchase of the securities and stocks of other companies to an amount not exceeding the cost price thereof. This additional amount of 4 per cent debenture stock so authorized to be issued was over and above what might be issued in exchange for bonds of the company's which by amalgamation formed the Canadian Northern Quebec, and in addition to the amount of such 4 per cent debenture stock which could be issued for lines under construction or afterwards to be constructed.

The authority to issue 4 per cent debenture stock for the purchase of securities and stocks of other companies has never been exercised. It is therefore incorrect to state that a portion of the proceeds of the 4 per cent debenture stock offered for subscription under the prospectus could be, would be or was used for the purpose of acquiring bonds of the Great Northern. None of such 4 per cent bonds or other Great Northern bonds were so acquired.

No. 5. Answered by No. 4.

No. 6. (a) After reorganization.
(b) Central Trust Company of New York.
(c) Yes.
(c) Yes.

DELAYED RETURNS.

Hon. Mr. CASGRAIN—Has the hon. gentleman received that report about the railway station on the Champlain site in Quebec?

Hon. Mr. LOUGHEED—I have made further inquiries. The correspondence is so voluminous that it is going to take a very considerable time to prepare it. It is under way now.

Hon. Mr. CASGRAIN—Have they started to prepare it?

Hon. Mr. LOUGHEED—Oh yes.

Hon. Mr. BOWELL—It will be ready next session.

THIRD READING.

Bill (80), An Act respecting the Canadian Northern Railway Company.—Hon. Mr. Watson.

NATURALIZATION AND ALIENS BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (173), An Act respecting British Nationality Naturalization and Aliens.

In the Committee.

Hon. Mr. WATSON—Did the Minister consider the advisability of leaving out the different languages—

Hon. Mr. LOUGHEED—This has occasioned a great deal of correspondence between this Government and the Imperial Government, this Government desired that no mention should be made of any particular language, but the Imperial authorities pointed out that the only educational qualification in which they would concur is that the official language of the country should be spoken. As we in Canada have the two official languages it became necessary to frame it in this way.

Hon. Mr. CASGRAIN—You would have lots of people coming from the continent who would be debarred.

Hon. Mr. LOUGHEED—My hon. friend suggests that no language should be mentioned.

Hon. Mr. YOUNG—Have you considered this feature of the Bill, is a residence of one year in Canada under certain circumstances, sufficient to make the applicant familiar with our institutions.

Hon. Mr. ROSS (Middleton)—He has to be four years in some other British country, within the eight years preceding.

Hon. Mr. CLORAN—Supposing some nigger comes from Jamaica or Barbadoes what does he know about Canada?

Hon. Mr. ROSS (Middleton)—There are lots of good people down there.

Hon. Mr. CLORAN—Take the Boers, what do they know about Canada?

Hon. Mr. DERBYSHIRE—We will educate them.

Hon. Mr. CLORAN—You cannot educate them in a year.

Hon. Mr. SPEAKER—I would call the hon. gentlemen's attention to the fact that all the negroes in the West Indian Islands speak Irish.

Hon. Mr. CLORAN—Then they need no further education: why don't they go to Ulster?

The clause was adopted.

On clause 3.

Hon. Mr. YOUNG—What might a doubt be in granting a certificate?

Hon. Mr. LOUGHEED—One that would occur to me at the present time is this, a doubt as to whether the necessary time had been put in the British Dominion.

Hon. Mr. YOUNG—There you are questioning the wisdom of the court are you?

Hon. Mr. LOUGHEED—Many questions come before a court that are involved in doubt. In fact all questions which come before the courts presupposes a doubt.

Hon. Mr. YOUNG—Not after the court is through with it.

The clause was adopted.

On clause 5.

Hon. Mr. YOUNG—What would likely be 'a special case'?

Hon. Mr. LOUGHEED—It might arise as to the nationality of the father—as to whether the father was really a British subject or not.

The SPEAKER—Take the case of a citizen of the United States who comes to New Brunswick or Nova Scotia and marries a Canadian girl. He never becomes naturalized and he dies. Where do his wife and children come in?

Hon. Mr. LOUGHEED—They are born here. If the children choose, on coming of age, they may claim the nationality of their father, or assume the nationality of the country in which they were born.

Hon. Mr. DOMVILLE—And the mother—has she lost her nationality?

Hon. Mr. LOUGHEED—Yes, she loses her nationality.

Hon. Mr. YOUNG—In this clause it provides that a minor on becoming of age may back out.

Hon. Mr. LOUGHEED—Yes, he may elect as to whether he will take the nationality of his father, or of the country in which he was born.

Hon. Mr. YOUNG—That is, he may differ from his father's judgment?

Hon. Mr. LOUGHEED—Yes, he may exercise one for himself.

Hon. Mr. CLORAN—Can a child born in Canada on reaching the age of twenty-one years back out of his citizenship?

Hon. Mr. LOUGHEED—Only in case his father was an alien.

Hon. Mr. CLORAN—He can back out under those circumstances?

Hon. Mr. LOUGHEED—He can elect which nationality he will take.

Hon. Mr. CLORAN—He has been a citizen from his birth until he reaches the age of twenty-one, he has enjoyed the protection of our laws and all the guarantees of Canadian citizenship, yet under this law he may back out and elect to be a citizen of another country.

Hon. Mr. LOUGHEED—That has always been the law.

Hon. Mr. CLORAN—I do not know any provision of the law that gives any one a right to do such a thing.

Hon. Mr. POWER—There are a good many things the hon. gentleman does not know.

Hon. Mr. CLORAN—Certainly there are.

Hon. Mr. POWER—You read occasionally of men born in England or Canada who have gone to the United States and become successful there in literature, art or business, and our newspapers have praised them because, while they distinguish themselves in the United States, they never gave up their British nationality. Take the case of United States citizen who comes to Canada and is successful: why should we find fault with him because he does not choose to change his citizenship?

Hon. Mr. DOMVILLE—There are two of them in the Government to-day.

Hon. Mr. CLORAN—We have Sir Thomas O'Shaughnessy and Sir Wm. Van Horne.

Hon. Mr. WATSON—A minor born in Canada, up to the age of 21 is a citizen of the British Empire if his father is naturalized, and has all the protection of British citizenship.

Hon. Mr. ROSS (Middleton)—His father governs him until he is 21; when he is 21 he elects what he shall do.

Hon. Mr. WATSON—At the present time when an alien is naturalized all the minor children of a family are Canadians: they do not require to be naturalized when they reach the age of 21. The fact that their father was naturalized makes them Canadians.

The clause was adopted.

On clause 12.

Hon. Mr. POWER—I think the wording of the first sub-clause is rather involved:

12. Where a person being a British subject ceases to be a British subject whether by declaration of alienage or otherwise, every child of that person, being a minor, shall, thereupon cease to be a British subject.

One can understand that, but this is what I do not quite understand:

Unless such child, on that person ceasing to be a British subject, does not become by the law of any other country naturalized in that country.

What is the exact meaning of that?

Hon. Mr. ROSS (Middleton)—Suppose the husband leaves Canada and goes to another place, and becomes naturalized there? Take sub-clause 2:

2. Any child who has so ceased to be a British subject, may within one year after attaining his majority make a declaration that he wishes to resume British nationality, and shall thereupon again become a British subject.

The thing works all together, and works out very nicely. That is the present law.

Hon. Mr. YOUNG—The person can make that declaration without any residence in Canada?

Hon. Mr. LOUGHEED—Yes.

On clause 17.

17. Real and personal property of every description may be taken, acquired, held and disposed of by an alien in the same manner in all respects as by a natural-born British subject; and a title to real and personal property of every description may be derived through, from or in succession to an alien in the same manner in all respects as through, from or in succession to a natural-born British subject.

Hon. Mr. POWER—A rather interesting question arises under this clause. Real and personal property of every description may be taken, acquired, held and disposed of by an alien in the same manner, in all respects as by a natural-born British subject, and so on. A natural-born British subject can acquire a homestead in the Northwest. Would the alien have the same right under this clause?

Hon. Mr. LOUGHEED—No. This does not contravene any Act which is on the statute-book. It is simply declaratory of what his right would be to take property.

Hon. Mr. YOUNG—I understand they are amending the Dominion Lands Act to cover this.

Hon. Mr. LOUGHEED—It would not have anything to do with the Dominion Lands Act, because there an alien can enter for a homestead. The only restriction that is placed upon him is that before the homestead is patented he should be a British subject.

Hon. Mr. YOUNG—Are they not amending the Dominion Lands Act?

Hon. Mr. LOUGHEED—Yes, the Bill is on the Order Paper.

The clause was adopted.

On subclause 1 of clause 17.

Provided that this section shall not operate so as to—1. Qualify an alien for any office or for any municipal, parliamentary, or other franchise; or

Hon. Mr. WATSON—This is one of the hardships to which an intelligent United States citizen who comes to this country is subject. He acquires property and becomes a first-class settler, and just as fully qualified inside of twelve months, in fact on his arrival, as any resident, to participate in affairs.

Hon. Mr. LOUGHEED—This does not disqualify him from holding municipal office, but it only says that by reason of his being an alien it does not necessarily follow that he may not fill a municipal office, but if the municipal law says that he should have that privilege, the provincial authorities have the right to legislate on it entirely irrespective of this; this in no way restricts it.

Hon. Mr. WATSON—Where an oath is put to a man with regard to his qualification for any position in Canada, or to vote at a municipal election, in all cases he has to declare he is a British subject.

Hon. Mr. ROSS (Middleton)—In a great many cases, but not all.

Hon. Mr. LOUGHEED—This is the present law taken from the Revised Statutes Sec. 4, 5, 6 and 7.

Hon. Mr. WATSON—You will have to amend the declaration that a man takes, in order to qualify as a voter in municipal elections.

Hon. Mr. LOUGHEED—No, this is the law as it has been for many years.

Hon. Mr. CASGRAIN—Are there any provinces where a man can be mayor of the town without being a British subject?

Hon. Mr. LOUGHEED—It depends upon the provincial statutes.

Hon. Mr. CASGRAIN—Are there any? There was a Frenchman who happened to be elected Mayor of the municipality, and he could not take the oath.

Hon. Mr. LOUGHEED—I suppose the municipal law prevented it.

Hon. Mr. ROSS (Middleton)—The provices have special Acts of their own and there is one general Act that covers towns and municipalities; and it depends on that whether a man should have to take the oath, but you cannot get it out of this Bill.

The subclause was adopted.

On subclause 4:

4. Affect an estate or interest in real or personal property to which any person has or may become entitled, either mediately or immediately, in possession or expectancy, in pursuance of any disposition made before the fourth day of July eighteen hundred and eighty-three, or in pursuance of any desolution by law on the death of any person dying before that day. R.S., c. 77, ss. 4.5. 6, 7. Imp. Bill, s. 17.

Hon. Mr. POWER—I should like a little light on this subclause. Unless the title goes back thirty-one years it is not recognized. I know that this is the same provision is set out in section 7 of chapter 77 of the Revised Statutes, and that section was taken from the old series of the Revised Statutes, the series of 1886. Thirty-one years have passed since 1883, and I think we should bring this limitation down to a later date. Why should we not say the 1st of January, this year, because in 1886 they fixed July, 1883, and we continued that in the next series of the Revised Statutes, probably without considering the effect. We should recognize a title that has gone on for thirty odd years or for a less period for anything over twenty years at any rate.

Hon. Mr. LOUGHEED—Previous to 1883 restrictions were placed upon foreigners taking property. This enlarged the right of the alien to take property, and permitted the foreigner to take property under any testamentary document or by inheritance, and it continues the extension of that right. It enlarges, and does not abridge any right.

Hon. Mr. POWER—It was thought desirable in 1886 to validate any titles about which there might be any question, that had been acquired previous to that time. Why should we not do the same thing now? Why should we not alter the Bill here, so as to prevent any questions being raised with respect to property that has been held for perhaps twenty years.

Hon. Mr. LOUGHEED—I certainly cannot follow my hon. friend. That legislation was passed in favour of the rights of an alien, at least so far as taking property is concerned. It declares the right which he now enjoys. That right has not been disputed since, and this simply continues it.

The clause was adopted.

On subclause (f) of clause 19.

(f) In Manitoba, to the Court of King's Bench during its sittings in the judicial district within which the alien resides; to a judge of the Court of King's Bench, sitting in court in the judical district within which the alien resides; or to the county court during its sittings in the division within which the alien resides.

Hon. Mr. YOUNG—Why is the judicial district referred to in the case of Manitoba?

Hon. Mr. LOUGHEED—Each court has its own judicial boundaries within which it exercises its jurisdiction. We could not use the term electoral district, because it might be difficult to define wherein the jurisdiction of the court might run in that particular district, but it is clearly defined when we speak of a judicial district.

Hon. Mr. YOUNG—Under subclause (j) in the Northwest territories it is 'to such authorities or persons as the Governor in Council may prescribe.' I presume these will be prescribed immediately.

Hon. Mr. LOUGHEED—Yes, that will have to be taken up by Order in Council.

The clause was adopted.

On clause 23.

23. If the court decides that the alien is a fit and proper person to be naturalized and pos-

sesses the required qualifications a certified copy of such decision shall be transmitted by the clerk of the court to the Secretary of State of Canada together with the application and such other papers, documents and reports as may be required by any regulation made hereunder.

Hon. Mr. POWER—It seems to me that a certificated copy of the judge's decision ought to be enough. In some cases rather voluminous papers might be sent to the Secretary of State, and that might mean delay in deciding the case.

Hon. Mr. LOUGHEED—It is only proper that the entire file should be recorded with the Secretary of State.

Hon. Mr. POWER—There is this about it; at the present time the judge is the ultimate tribunal; there is no necessity of going beyond the judge. The requirement that you shall go to the Secretary of State, is, as the hon. gentleman has stated, due to the fact that the imperial authorities insist upon that, but the imperial authorities will not go further and insist that the Secretary of State here shall have had all these documents before him. If the evidence is sufficient for the granting of a certificate of naturalization under the present law, why should anything further be required. It goes to the Secretary of State and he ought to be bound to accept it.

Hon. Mr. ROSS (Middleton)—The last two lines of the clause show that he is not required to send anything. He sends back his decision along with 'the application and such other papers, documents, and reports as may be required by any regulation made hereunder.' It is a matter of regulation.

Hon. Mr. POWER—At the present time for our purposes the law as it stands may be supposed to indicate what the Parliament of Canada thinks is necessary and Parliament has not thought it necessary that the matter should go beyond the judge. Under this Bill the imperial authorities require that you shall have the certificate of the Secretary of State. My view is that when the Secretary of State receives the certificate of the judge that that should be the end of it and that he should be bound to accept that certificate.

Hon. Mr. ROSS (Middleton)—It is the end, unless the Governor in Council choose to prescribe regulations asking for something more.

Hon. Mr. POWER—That is a wide power to give.

Hon. Mr. LOUGHEED.

The clause was adopted.

On clause 26.

Hon. Mr. POWER:

26. The Governor in Council shall have power to appoint commissioners to take oaths under this Act.

With respect to that, should it not be sufficient if the oaths were taken before the officers who are now authorized in the various provinces to administer oaths? Why should not a commissioner of the supreme court or a notary public be sufficient?

Hon. Mr. LOUGHEED—I would say that the power is not taken away from present officers.

Hon. Mr. POWER—Oh yes, there is no other power given to appoint commissioners, and the commissioners for taking oath, are not recognized. I think the hon. gentleman might reconsider that power.

Hon. Mr. ROSS (Middleton)—If the hon. gentleman will look at the interpretation clause of the Revised Statutes of Canada he will see that wherever an oath is prescribed there is an elaborate provision for that. This clause 26 is simply supplementary to the present law. Every man who can take an oath now can take it under this, but the commissioners are also to have the power to take oaths, though if it were not for clause 26 they would not.

Hon. Mr. POWER—I have great respect for the hon. gentleman's opinion, but I do not agree with him in this matter. This Bill is not like some other Bills; it is a sort of international work, and so far as I have gone through the Bill there is no power providing for commissioners to take oaths, except the power given in clause 26. What I say is that, instead of the Government being obliged to appoint a brand new set of commissioners to take oaths under this Act, the officers who now have the power to take oaths and affirmations under the Canada Evidence Act, for instance, should be authorized to do so under this.

Hon. Mr. ROSS (Middleton)—But my hon. friend is leading back from this to the Canada Evidence Act. If he will read the Canada Evidence Act, and come down to this clause 26 the question is, who will take oaths under this Act. Well, you get that in the Canada Evidence Act, and you supplement that Act by this clause 26 which qualifies these commissioners to take those oaths; but without this clause 26 these com-

missioners could not take the oath, because clause 25 does not qualify them. Clause 26 is supplementary.

Hon. Mr. POWER—The hon. gentleman is probably proving that this clause 26 is not necessary at all.

Hon. Mr. ROSS (Middleton)—I say it is absolutely necessary, because these commissioners have not a commission to take oaths under any known statutes. They are qualified now for the first time to take an oath.

Hon. Mr. LOUGHEED—The object of it is this: in the unorganized districts there may not be justices of the peace, there may not be any officials who are designated by the Interpretation Act to take the oath, consequently it would be necessary for the Government to appoint some one to take the oath.

Hon. Mr. POWER—I move that this clause be amended by inserting after the word 'power' the words 'when necessary'. That cannot do any harm. It will then read:

The Governor in Council shall have power when necessary to appoint commissioners to take oaths under this Act.

Hon. Mr. ROSS (Middleton)—If they take oaths when they are not necessary they may be criminally prosecuted; unnecessary oaths are very illegal.

Hon. Mr. POWER—It is the Governor in Council, so they will not be prosecuted. I move the amendment.

The amendment was lost on division.

Contents 19, non-contents 21.

The clause was then adopted.

On clause 34.

34. Section 17, 18 and 19 of chapter 77, Revised Statutes 1906 are amended by striking out the words 'Except in the provinces of Saskatchewan and Alberta' at the beginning of each said section, and section 20 of the said chapter 77 is repealed.

2. At any time within three years from the date of the coming into force of this Act, any alien who is resident in Canada on such date may be naturalized under the provisions of the Acts mentioned in the third schedule to this Act upon complying with the requirements under the said Acts, but no other person shall be so naturalized, and after the expiration of three years from the said date the said Acts shall be repealed to the extent specified in the second column of the said schedule.

3. This Act may be cited as the Naturalization Act, 1914.

4. This Act shall come into operation on the first day of January, nineteen hundred and fifteen. Imp. Bill, s. 28.

Hon. Mr. LOUGHEED—The object is to make the law uniform in those provinces with what it is in the others. The sections referred to deal with local conditions, I suppose, on account of those provinces having shortly before been erected into provinces.

Hon. Mr. BEIQUE—By this clause you are amending chapter 77 of the Revised Statutes but in the third schedule you say that the whole Act is repealed. Surely that is a mistake?

Hon. Mr. LOUGHEED—My hon. friend will see that, subject to clause 34, we do not repeal in the third schedule section 2 of 'An Act to amend the Statute Law in its application to the provinces of Saskatchewan and Alberta, 1907, chapter 45.'

Hon. Mr. BEIQUE—It says that section 17, 18 and 19 of chapter 77 of the Revised Statutes of 1906 are amended by striking out the words 'except in the provinces of Saskatchewan and Alberta,' and if the Act is amended, it shows it was not repealed in toto. But in the third schedule you repeal the whole Act; you should strike out the words 'the whole.'

Hon. Mr. LOUGHEED—My hon. friend will see that it is not intended for three years to repeal it. My hon. friend will have to read that in connection with section 34, subsection 2. We have to mention in the schedule what part we are referring to.

Hon. Mr. BEIQUE—You mentioned that you are repealing the whole Act, chapter 77 of the Revised Statutes of 1907 which you are not doing because you are amending it.

Hon. Mr. LOUGHEED—We repeal it after three years.

Hon. Mr. ROSS (Middleton)—It works out all right, but the first part of clause 34 comes into effect at once.

The clause was adopted.

On clause 20.

20. The application shall be delivered at the office of the clerk or other proper officer of the court during office hours and such application shall be posted by such clerk or other proper officer in a conspicuous place in his office for at least three weeks before the application is heard by the court. R.S., c. 77, s. 17.

Hon. Mr. YOUNG—I have an amendment to propose to section 20 which is as follows:

Strike out all words after 'office' in clause 20 and insert the following:

And the applicant shall also post such application in a conspicuous place in the post office nearest to his place of residence; both such notices shall be so posted for at least three months before the application is heard by the court.

Hon. Mr. DANIEL—Does the hon. gentleman think it would be a good plan to post those notices in the post office? They would be liable to be torn down. There is no stability about that. If a certain official has to keep those notices posted in his office it will be done. Nobody has any right to go in there and interfere, but in a public place like a post office, with people coming in and out, posting a notice would not amount to much.

Hon. Mr. LOUGHEED—Would it not be better to post it in the court house?

Hon. Mr. YOUNG—It would be inconvenient in the West because court houses are few and far between. Then the applicant is better known in the vicinity in which he resides, and therefore the post office would give the residents there the information which they would never have if the notices were posted a distance from the applicant's place of residence.

Hon. Mr. DANIEL—They are liable to be torn down.

Hon. Mr. YOUNG—They are liable to be torn down in a court.

Hon. Mr. DANIEL—Not in a court house. Under this section now, as amended, one notice is put up by the clerk and the other by the applicant. Why not have the clerk put up both in the court house?

Hon. Mr. YOUNG—Because our courts are few and far between, and if an officer of a court had to take that responsibility a hundred miles from the place where the post office was it would be very difficult.

Hon. Mr. DONNELLY—The hon. members of the Opposition who have been opposing this Bill for some time have been saying that five years was too long a time to have to live in the country before obtaining a certificate. If I read the Bill aright the effect of the proposed amendment will be to compel them to live five years and three months in the country.

Hon. Mr. ROSS (Middleton)—No.

Hon. Mr. DONNELLY—Clause 2, section (a) says that the notice will have to be given three months before he receives his certificate. He has to certify he has resided in His Majesty's Dominions a period of not less than five years. He would have to certify that in giving his notice; so that he would have to live five years and three months before obtaining the certificate.

Hon. Mr. POWER—The hon. gentleman will see that there is nothing to hinder the application being posted three months before the expiration of the five years.

Hon. Mr. DONNELLY—But in the form of application he has to say that he has resided five years in the country.

Hon. Mr. BEIQUE—I am afraid the wording is such that it will be open to any one, by tearing down the notice, to invalidate the application.

Hon. Mr. YOUNG—Would it not be the same if the notice were posted in a court?

Hon. Mr. ROSS (Middleton)—No because that would be an act done by a public officer, and you would have to prove negatively that it had not been done. That would be the advantage of having the notice posted by a clerk.

Hon. Mr. YOUNG—I would have no objection to that, if it were not for the fact I have mentioned.

Hon. Mr. WATSON—Why not make the postmaster responsible.

Hon. Mr. BOLDUC, from the committee, reported the Bill with amendments.

FARMERS BANK DEPOSITORS RELIEF BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (185), 'An Act for the relief of the Depositors of the Farmers Bank of Canada.'

He said: The object of this Bill is to authorize the Government of Canada to make provision for the payment of depositors of the Farmers Bank. In the session of 1911 before the late Government went out of office a statement was made by the present Prime Minister, then leader of the Opposition in the House of Commons to this effect:

'If returned to power, we will make full inquiry by Royal Commission into the circumstances connected with the organization of the Farmers Bank, and granting of certificates by the Government. Our action with respect to the depositors will be governed by the resolution of inquiry.

At that time this matter was very fully discussed in the House of Commons, and

the sentiment was very largely recognized as then expressed, that the Government of the day should make provision for recouping the depositors of that bank. I would first direct the attention of hon. gentlemen to the provisions of the Bank Act as to the preliminary steps which should be taken in the organization of a bank. I refer to sections 12, 13, 14 and 15 of the Bank Act, and the interpretation placed upon those clauses largely determines the obligation of the Minister of Finance in protecting the public interest in granting those certificates, and the obligation which the Government is under to the public where those duties have not been properly discharged.

Clauses 12, 13, 14 and 15 provide as follows:

Clause 12. For the purpose of organizing the bank the provisional directors may after giving public notice thereof cause stock books to be opened in which shall be recorded the subscriptions of such persons as desire to become shareholders in the bank.

Clause 13. So soon as a sum not less than $500,000 of the capital stock of the bank has been bona fide subscribed and a sum not less than $250,000 thereof has been paid to the minister, the provisional directors may by public notice, published for at least four weeks, call a meeting of the subscribers to the said stock, to be held, etc., and the subscribers at such meeting shall (a) determine the day upon which the annual general meeting of the bank is to be held; and (b) elect such number of directors duly qualified under this Act, not less than five, as they may think necessary.

Clause 14. The bank shall not issue notes or commence the business of banking until it has obtained from the Treasury Board a certificate permitting it to do so.

Clause 15. No certificate shall be given by the Treasury Board until it has been shown to the satisfaction of the board by affidavit or otherwise that all the requirements of this Act, and of the said Act of incorporation of the bank as to the payment required to be made to the minister, the election of directors, the deposit for security for note issue, or other preliminaries, have been complied with, and that the sum so paid is then held by the minister.

The Farmers Bank of Canada was incorporated in 1904. The Act was extended in 1905 and 1906. In 1906 W. R. Travers, who became the general manager of the bank, got control of the charter and immediately took steps to ostensibly comply with the requirements of the Bank Act for the purpose of securing the certificate which would have authorized him to take the necessary steps provided by statute in the organization of the bank. In pursuance of the promise which I read, made by the present Prime Minister when leader of the Opposition in the House of Commons, this Government after coming into office issued a commission to Sir William Meredith, one of the Chief Justices of Ontario, for the purpose of making inquiry into this whole matter. He accordingly did so, and I should therefore briefly refer to some of the findings which the commission has made upon the same, and the more important points touching the bank in question. The first step, as I have said, was the prospectus which was issued by Travers. In making, or previous to making application for the issue of the certificate from the Minister of Finance, we find the promoters issuing a certain prospectus setting forth the stock subscriptions which had been made and the prospects of the bank, and the expectations usually predicted with reference to an organization of this kind. The finding of the commissioner upon that point is as follows, and is to be found upon page 5 of Sessional Papers 153-A:

The prospectus contains the names of a number of persons who it is stated had consented to act as directors if elected, four of whom were called as witnesses on the inquiry, and each of whom testified that as to him the statement was incorrect and unauthorized.

Use was made by Travers of a so-called subscription list, upon which, he contended, compliance was made with the Bank Act, and which he afterwards swore by affidavit to be correct. I find upon reference to the blue-book upon that subject that a list of shareholders was submitted to the commissioner, in the inquiry which he made, contining 250 names, all of whom alleged that the so-called list was made in fraud as to their subscriptions. This will be found upon page 938 of the exhibits of evidence of the Royal Commission that made inquiry into the subject.

Hon. Mr. CLORAN—That list was a forgery.

Hon. Mr. LOUGHEED—Practically so. There are to be found in this subscription list 250 names, all of whom allege fraud as to this particular subscription list.

Hon. Mr. CLORAN—That is forgery.

Hon. Mr. BEIQUE—What is the nature of the fraud.

Hon. Mr. LOUGHEED—I shall afterwards show what the character of it was. The question for our consideration having arrived at the point of fraud having been committed by Travers, and notice being fixed upon the minister whether the Minister of Finance was not put upon in-

quiry when he received notices from different individuals in good standing in the community as to the fraudulent practices which were being attempted, and which were being forced upon the department with a view of obtaining the certificate. On page 1005 of the exhibit will be found a copy of the statement of claim which was forwarded to the minister by Mr. Leighton McCarthy pointing out the nature of these frauds. Before reading that I would direct the attention of hon. gentleman to some correspondence which took place between the Minister of Finance and Mr. McCarthy touching this particular point. The first intimation that the minister apparently had of the attempted fraud was a letter from Mr. McCarthy dated 8th October, 1906, in which he states:

Home Life Building, Victoria St.,
Toronto, Oct. 8, 1906.

Counsel:
Wallace Nesbitt, K.C.
Honourable W. S. Fielding,
Minister of Finance,
Ottawa.

My Dear Mr. Fielding,—I have been consulted on behalf of a number of subscribers to the shares of the Farmers Bank, and from the instructions I have received a number of the subscribers will dispute the bona fide character of the subscriptions. I have not time to-night to give a full statement of the grounds of this request to you, but I beg to assure you that grave conditions have arisen which will require careful consideration before the Treasury Board would grant any certificate for the organization of this bank.

I therefore ask you to be good enough to stay any action which might be taken until I have had an opportunity of discussing this with you. If it is not asking you to hold it too long, I would prefer not having to go to Ottawa this week, but will go any day next week which would suit your convenience. Of course, if there is no immediate prospect of your granting such a certificate my seeing you at an early date will not be necessary.

LEIGHTON McCARTHY.

Between this letter and the following which I shall read several other letters passed between both parties which throw no particular light upon the subject, except the urgency of Mr. McCarthy that Mr. Fielding should not take any further steps until he could have an interview with him.

Hon. Mr. THOMPSON—Mr. Fielding answered those letters?

Hon. Mr. LOUGHEED—Yes. I am not reading the answer of Mr. Fielding because they were of a formal character and saying that every attention would be given to the communications of Mr. McCarthy. On the 19th October, 1906 a more serious communication was sent to Mr. Fielding as follows:

Hon. Mr. LOUGHEED.

Hon. Mr. Fielding,
Minister of Finance,
Ottawa.

My Dear Mr. Fielding,—I beg to inclose the special endorsement upon a writ of summons in the High Court of Justice for Ontario, which will be issued by: William A. Saxon, John Sproat, George Castle, William McLean, Finlay McCallum, Robert Hume, James Murray, George Denoon, John McLeod, Jane Shuert, William Harris, on behalf of themselves and all other persons alleged to be subscribers for shares of the capital stock of the Farmers Bank of Canada who may desire to come in and be parties to this action, against the Farmers Bank of Canada, James Gallagher, John Watson, John Ferguson, Alexander Fraser, Alexander Shepherd, Lown, W. R. Travers, C. H. Smith, A. G. H. Luxton, and the Traders' Bank of Canada, and W. J. Lindsay, and I respectfully request that the Treasury Board will stay any action upon the application of persons professing to act in the name of the Farmers Bank of Canada, or in the name of the provisional directors of the Farmers Bank of Canada, for a certificate under section 15 of the Bank Act on the grounds alleged in the inclosed special endorsement, and other grounds which may be disclosed upon the examination of the alleged subscribers for shares.

I have received information that the alleged subscribers for shares paid a large sum of money in cash and have signed notes for other large sums of money, and that the persons professing to act in the name of the bank have transferred notes and received the proceeds, and that a deposit either has been made or will be made of the cash received and the proceeds of these notes, or sufficient amount to make up $250,000.

I wish you to have the kindness to acknowledge the receipt of this protest against the granting of a certificate so that I may advise the shareholders who are disputing their liability, and I would be pleased to go to Ottawa upon any appointment you may make for the further consideration of this matter.

LEIGHTON McCARTHY.

Upon reference to the blue-book, page 1007 will be found the allegations of the material facts against Travers' fraud, and of which Mr. Fielding was then duly apprised. I shall read from the statement of claim as follows:

11. The plaintiffs and others subscribed for shares, and the plaintiffs allege— (1) That the provisional directors who professed to act for and in the name of the bank, had no lawful power or authority to receive subscriptions for shares or to accept them; and (2) That the subscriptions for shares which were procured from the plaintiffs and others were procured through fraud and misrepresentation, and the plaintiffs allege amongst others, the following particulars of fraud, namely—

(1) That the agents in procuring the subscriptions for shares falsely represented that persons had subscribed for a larger number of shares than they had in fact subscribed for, and the following are examples of such false representations namely—(a) That Robert Noble, whose name is entered in the prospectus as one

of those who had consented to be a director, had subscribed for shares to the amount of $10,000, whereas he had in fact only subscribed for shares to the amount of $3,000; (b) That John Sproat had subscribed for shares to the amount of $10,000, whereas he had in fact only intended to subscribe for shares to the amount of $1,000, and that he was induced to sign an application in the belief that it was filled up for $1,000, and that the general manager afterwards claimed that it was a subscription for $10,000, and the said John Sproat then repudiated the entire subscription; (d) That James Murray had subscribed for shares to the amount of $10,000, whereas he had in fact only subscribed for shares to the amount of $1,000; (e) That Dr. Stewart was subscribing for shares to the amount of $10,000, whereas he was not in fact subscribing for any shares; and other false representations of a similar character were made by the solicitors and agents in reference to alleged subscriptions of other persons.

(2) That Major Thomas Beattie, represented by the prospectus to have consented to act as a director, had not subscribed for any shares, and refused to be a director, and refused to allow his name to be used in any way in connection with the bank; and the plaintiffs allege that the names of other persons who were represented by the prospectus to have consented to act as directors had not subscribed for any shares or given any authority for any such publication.

Hon. Mr. THOMPSON—Do I understand the hon. gentleman to say these facts were known to the Finance Minister before the certificates were issued?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. THOMPSON—In what way?

Hon. Mr. LOUGHEED—I direct my hon. friend's attention to the statement made by Mr. McCarthy in the letter which I have just read.

Hon. Mr. THOMPSON—Would you read Mr. McCarthy's letter of November 2?

Hon. Mr. LOUGHEED—Yes, I will come to that presently. In the letter of October 19, 1906, which I have just read Mr. McCarthy says:

Mr dear Mr. Fielding; I beg to enclose the special endorsement upon a writ of summons in the High Court of Justice which will be issued by so-and-so.

A few days after, that was issued. Now that letter was duly received and acknowledged. This will be found in the communication of Mr. Boville, the Deputy Minister of Finance, which reads as follows:

Finance Department, Ottawa, Canada,
October 23, 1906.

Leighton McCarthy, Esq., K.C., M.P.,
Messrs. McCarthy, Osler, Hoskin & Harcourt,
Barristers, &c.
Home Life Building, Victoria Street.
Toronto, Ont.

Dear sir,—I beg to acknowledge the receipt of your letter of the 19th instant, to Mr. Fielding's address, respecting the Farmers Bank of Canada.

When application is made by the Farmers Bank to the Treasury Board for a certificate to enable them to commence business, the representations contained in your letter with its inclosure will be laid before the board.

T. C. Boville,
For Deputy Minister of Finance.

Communications seem to have then taken place between Mr. Boville, the Deputy Minister of Finance and Mr. Travers, the general manager of the bank. In due course a letter is written by Mr. McCarthy stating that his clients have received a settlement of the claims which were then being made. This letter is dated November 2, 1906, and is addressed to Mr. Fielding, and reads as follows:

Home Life Building, Victoria Street,
Toronto, November 2, 1906.

Honourable W. S. Fielding,
Minister of Finance, Ottawa.

Dear sir,—Referring to my letters of the 8th and 9th instant, with reference to the application for a certificate made on behalf of the Farmers Bank, I am advised by those who are instructing me that the claims made by them in the action brought have been settled by their subscriptions being taken up by some parties interested in the bank and refunding the money paid by the individuals or returning the notes which had been given. The objections which I made on their behalf to the issue of the certificates are therefore withdrawn. Would you mind therefore returning to me the papers which I forwarded to you.

Leighton McCarthy.

I would direct the attention of hon. gentlemen to the fact that immediately previous to this, communication had taken place between Mr. Boville, the Deputy Minister of Finance and Mr. Travers, in which was pointed out the opposition—I was going to say hostility, but we will confine it to opposition—shown by Mr. McCarthy to the issuing of this certificate by the Treasury Board, and immediately following the notice to Mr. Travers that Mr. McCarthy had taken this position, we find a settlement of this particular claim. One would have fancied that that would have further stamped upon the minds of those constituting the Treasury Board the seriousness of the representation which had been made, into the charges brought by Mr. McCarthy, and that the closest inquiry and investiga-

tion would have been made into the charges brought by Mr. McCarthy. However, from the finding made by Chief Justice Meredith, the commissioner in the investigation, apparently no attention was given to Mr. McCarthy's representations. The very fact of those charges having been settled should have emphasized in every intelligent mind, and particularly the minds of those charged with the protection of the public interest, that a very grave and serious crime had been committed, and that the very settlement of it by the general manager of the Farmers Bank afforded a greater reason why an investigation should have been made. The Treasury Board should have not only hesitated before granting but have refused the certificate. But not only did Mr. McCarthy direct attention to these serious charges, but we find other equally responsible gentlemen doing the same. We find Mr. Henderson, the member for Halton in the House of Commons, in whose constituency lived a great number of subscribers to the Farmers Bank, likewise directing the attention of the Finance Minister to the then exising conditions.

It is needless for me to say that Mr. Henderson is a well known public man, has been in the House of Commons for very many years, was particularly known to Mr. Fielding, had come in contact with him every session during the time he was a member of the House, and we find Mr. Henderson stating as follows:

Now, I made a statement, and I thought that was a warning to the Minister of Finance to beware of the men with whom he was dealing, and that he should be on his guard. The Minister of Finance accepted my statement in that light, and, as I said, with all the courtesy that was required, he told me that he would hold the certificate back as long as he could. I confess that I left the Minister of Finance feeling quite safe. I thought the matter was in the strong hands of a strong man, who stood between the subscribers to this stock and the Government, a man who was in a position to defend my constituents and prevent them being defrauded. Shortly afterward, the minister met me in the corridor—there was no secrecy about this conversation, never so intended by me, or I believe, by the minister—and informed me that Mr. Travers had been down, and that he had brought his money. And the minister said—(I will use his own words)—'I put it up to him and he denied it.' What was it the minister 'put up to him?' What did the minister wish me to understand he had 'put up to him,' but the very statement I had made to him a short time before? And Mr. Travers denied it. He then asked Mr. Travers to give him a letter to that effect, declaring that my statement was untrue. And he accepted that letter and gave Mr. Travers this certificate.

Hon. Mr. LOUGHEED.

We find likewise Sir Edmund Osler, who was a member of the House of Commons, likewise communicating to Mr. Fielding—

Hon. Mr. BEIQUE—When was the statement made by Mr. Henderson?

Hon. Mr. LOUGHEED—This is a statement before the commissioner.

Hon. Mr. BEIQUE—Yes, but he must state what was the nature of the statement he made to Mr. Fielding, and when he made it.

Hon. Mr. LOUGHEED—I am quoting now from what I find in 'Hansard' on page 4838 of the present session.

Hon. Mr. DAVID—Not from the report of the commissioner?

Hon. Mr. LOUGHEED—No, I cannot put my hand on that just at the moment. Preceding the statement made by Mr. Henderson I find this portion of his statement, which possibly defines more clearly the charges made, than those embodied in the latter part of his statement:—

—I was deeply interested in the matter of the Farmers Bank for the reason that a very large amount of money, practically half the stock of the bank, was subscribed in my county. I realized at this time that it might create a panic in the county if the worst came to the worst, and the bank should fail and the double liability be exacted. I told him that I myself had seen promissory notes made by farmers in my county, indorsed by the provisional directors, that had been used, as I was informed and verily believed, for the purpose of raising money presumably to make up the $250,000 required in order to get a certificate.

I also read from the statement made by Sir Edmund Osler touching a conversation which he had with Mr. Fielding upon this subject. On July 20, 1911, Sir Edmund Osler spoke as follows in the House:—

My attention was called, since I returned, to a debate in Parliament on the 15th of March. Before I left this country in January 1, I was present when we were discussing the question of the Farmers Bank.

I then made the statement that I had spoken to the Minister of Finance in reference to the issue of a certificate to this bank. The Minister of Finance said that if I were in the House he was sure I would not make that statement. After the deposit had been made with the Receiver General and before the certificate had been issued, I met the Minister of Finance and had a talk with him about the Farmers Bank. I told him that it was a fraud, that the people connected with it were not worthy, and that the method taken for obtaining the necessary deposit was absolutely illegal. I knew that of my own personal knowledge, because I knew where application had been made to borrow the money on these endorsed notes; I did not know at the time from whom. I saw that the Fin-

ance Minister was under a good deal of anxiety about the condition of affairs. The matter ended there so far as I was concerned until some time afterwards, when I learned that a certificate had been issued, and I again spoke to the minister, and said I was exceedingly sorry that the Government had issued the certificate.

Following that up is a letter from the late Sir Edward Clouston, who was then President of the Bankers' Association. By a coincidence this letter was written, I think on the day on which the certificate was issued, and was directed to T. C. Boville, Esq., Deputy Minister of Finance, Ottawa:

Deputy Minister of Finance,
Ottawa.
Farmers Bank of Canada.

Dear sir,—In connection with the application of the Farmers Bank of Canada for the usual certificate from the Treasury Board, I have reason to believe that the money lodged, or to be lodged, at Ottawa as stock subscriptions, cannot be regarded as paid-up capital, and that a large proportion of the amount necessary to the obtaining of a certificate is a loan made upon the promise of its payment when returned by your department.

Permit me to request that, if only for the protection of the public, the Treasury Board will exercise its right to refuse to issue a certificate if it thinks best so to do, until a thorough investigation has been made into the circumstances stated herein.

E. S. Clouston,
President.

Hon. Mr. KERR—That is the same day as the issue of the certificate?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. KERR—It was not received until afterwards?

Hon. Mr. LOUGHEED—No, it was received afterwards. It was not written until that day. There was no doubt about its being received by the Department of Finance immediately after the certificate had been issued. Now as to the findings of the commissioner as to how the $250,000 had been raised I direct the attention of the hon. gentleman to those findings in sessional paper 153-A, page 6.

The fact was that two sums amounting together to $100,000 had been borrowed by Travers from the trustees and Guarantee Company on the security of promissory notes made by applicants for shares which had been endorsed to him by the provisional directors for the express purpose of raising money to be used in making the deposit, as appears from the following resolution passed by the provisional directors on the 8th October, 1906:—

'that the provisional directors execute a power of attorney to W. R. Travers for the purpose of endorsing all notes in their names as provisional directors and of signing their names to a note or notes for the purpose of raising funds to put up the deposit with the Government, and we authorize the secretary to hand over all notes to W. R. Travers for the said purpose.'

Acting under the authority of this resolution and armed with a power of attorney from the provisional directors to him, dated the 8th October, 1906, Travers, on the ninth day of October, 1906, borrowed from the Trusts and Guarantee Company, $80,000, repayable in a month, on the security of promissory notes of subscribers amounting in the aggregate to $100,955, agreeing to pay interest on the loan at the rate of 10 per cent per annum and a bonus of $1,000, and on the twenty-third day of October, 1906, he borrowed from the same company $20,000, repayable on demand, on the security of promissory notes of subscribers amounting in the aggregate to $26,500, and certain shares of loan companies, valued at $20,500, which had been transferred to the bank in payment of subscriptions, agreeing to pay the same rate of interest and a bonus of $500.

For the loan of $80,000, the Trusts and Guarantee Company issued its cheque on the Bank of Montreal, payable to the order of that bank 'for credit of the Farmers Bank of Canada with the Finance Minister and Receiver General,' and for the loan of $20,000, the company issued its cheque on the Ontario Bank, payable to the order of the Bank of Montreal, for 'credits Farmers Bank of Canada with Finance Minister and Receiver General.'

The form was then gone through of crediting the proceeds of these loans, to the extent of $75,995, as payments on the shares of certain of the applicants for shares, as shown on pages 40 and 41 of exhibit 63, and to the extent of $20,027 in substitution for securities which had been taken in payment for shares and were held by the provisional directors, and the latter sum was treated as having been paid in cash the balance of the loans were used to cover in part expenses of organization which were not carried into the books of the bank until some months after it began business; $17,595 was placed to the credit of subscribers other than those whose promissory notes had been used for the purpose of obtaining the loans, and who had actually paid nothing on account of their shares, and in many cases subscribers' notes for much larger sums than were placed to their credit were pledged for the loans.

Although the form of applying the money borrowed in the way I have indicated was gone through, the real purpose of the transaction was to enable Travers to represent to the Treasury Board that a larger sum had been paid in than had been actually received on account of the shares, and Travers intended that as soon as the deposit of $250,000 was returned to the bank the loans should be paid off and the subscribers' notes be discounted in the various offices of the bank, and that was in fact done, about $60,000 having been repaid in December and the remainder in the March or April following.

So much for the allegation of facts as found by the Commissioner. His conclusion is as follows:—

My conclusion on this branch of the inquiry is that the Treasury Board was induced to give its certificate by false and fraudulent representations on the part of Travers, and

that if the facts I have mentioned as to the way in which the $250,000 was made up had been disclosed, the certificate of the Treasury Board would not have been given.

It is plain from the letter of the Finance Minister to Travers, of 30th November, 1906, that the Minister understood that section 13 of the Bank Act would not have been complied with if the $250,000 was made up wholly or in part of money raised on promissory notes given by subscribers for shares to the provisional directors and that he would have felt it his duty to recommend that the certificate should not be granted if he had known that part of the money had been raised in that way.

The following is the finding made by the Commissioner on that information:—

That that information had been given to the minister before the certificate was issued appears from the testimony of Sir Edmund Osler and Mr. David Henderson, and is shown by the letter of the 19th October, 1906, of Mr. Leighton McCarthy to the minister, which appears in Exhibit 5 pp. 2,3. In that letter, Mr. McCarthy states as follows:—

'I have received information that the alleged subscribers for shares paid a large sum of money in cash and have signed notes for other large sums of money, and that the persons professing to act in the name of the bank have transferred notes and received the proceeds and that a deposit either has been or will be made of the cash received and the proceeds of these notes or sufficient amount to make up $250,000.'

Sir Wm. Meredith then states as to the action of the officials of the department, the following:

The officials of the Department of Finance appear to have treated Mr. McCarthy's letter as if it had never existed, and, in my opinion, in that they erred, for, although Mr. McCarthy on the 2nd November, 1906, wrote to the Minister informing him that the claims made by his clients had been 'settled by their subscriptions being taken up by some parties interested in the bank and refunding the money paid by the individuals or returning the notes which had been given' and had withdrawn the objections which he had made on behalf of his clients to the issue of the certificates, Mr. McCarthy did not in any way intimate that the information he conveyed to the minister as to the way in which the $250,000 had been made up had been found to be incorrect.

Now so much for the evidence of which Mr. Fielding was apprised before the issue of the certificate. The matter resolves itself very largely into this question; as to whether there is not a legal obligation, or to say the least a moral obligation on the Government of Canada to recoup the depositors of the Farmers Bank for the disastrous losses which there took place. I doubt if there is in the statute-book of Canada any Act surrounded by so many safeguards, as the Bank Act. If there is any legislation on the statute-book in which we place the greatest degree of reliance, in which we depend to an extent greater than we do upon any other statutory provision, it is upon those safeguards surrounding the administration of the Bank Act. We find the Minister of Finance charged with the administration of that very important office. We find the Treasury Board charged with assisting the Minister of Finance—in fact the Treasury Board is very largely, if not altogether, the Minister of Finance. In a case like the present, where it was apparent that the promoters of this particular bank had not been in a position to organize their bank—where they had to seek an extension from Parliament in 1905 and a second extension in 1906—one would have thought that the Treasury Board would have been on their guard against any attempt which might be made to practise fraud for the purpose of securing this certificate empowering the promoters of the bank to establish that institution. It is difficult to understand how a minister charged with the very important duty of administering so important a department as that of Finance should have been insensible to the warnings which he received as to the manifest frauds which were being perpetrated for the purpose of effecting the object which Mr. Travers had in view. One would think that when Mr. Leighton McCarthy, who for many years sat in the House of Commons as associate with Mr. Fielding, sitting on the same side of the House as the Finance Minister—acting in his professional capacity had written the minister some four or five letters directing attention to the fraud about to be perpetrated—and not only letters but sending particulars of the charges which were about to be prosecuted in a court of law against Travers—that Mr. Fielding, without any further hesitation, would at once have demanded an investigation into the whole proceedings. But those charges, specific as they were, serious as they were, criminal as they were, were apparently tossed to one side and absolutely ignored. Then we find, following upon that, the conference which took place between Mr. Henderson,—a most reputable member of the House of Commons, a gentleman who sat for many years in the House of Commons with Mr. Fielding,—directing his attention to the matter and stating that he was intimate with the facts involved in the charges which at that time were being made against Mr. Travers, and which were being brought to the attention of the Minister of Finance. One would have thought that the Minister of Finance would at once

have assured Mr. Henderson that an investigation would be made into charges so serious as those he mentioned. Mr. Henderson apparently relied upon Mr. Fielding to do so. Mr. Henderson did not apparently at the time think Mr. Fielding would have ignored the warning which he gave. We find that further emphasised by so reputable a gentleman as Sir Edmund Osler, a member of the House of Commons at the time, a man who stood high in the world of finance, president of one of the large banking institutions of Canada, and who, as a financier was deeply concerned that this fraud should not be perpetrated, not only upon the Department of Finance, but upon the people of Canada. We find him remonstrating with Mr. Fielding, pointing out to him the danger associated with steps that were then being taken by Mr. Travers in the organization of the Farmers Bank. Mr. Osler apparently did not for a moment doubt that every attention would be given to the representations which he had made. Then furthermore we find at the same time the Bankers' Association taking up the subject. The Bankers' Association, is, as hon. gentlemen know, an association made up of all the chartered banks of the Dominion of Canada, each chartered bank in Canada having the statutory right to be a member of that association. We find Mr. Clouston as president of that association, on behalf of the association, directing the attention of the Finance Minister to those charges. Now it apparently was not a matter confined to the attention of those particular gentlemen. It was apparently a matter of public notoriety. Apparently Travers had gone from bank to bank, from one financial institution to another, to attempt to raise the one hundred thousand dollars.

Hon. Mr. KERR—Is there any evidence of that, except that he had gone to the one institution. The Trust & Guarantee Co.?

Hon. Mr. LOUGHEED—Yes, I would say it would be implied from the statement made by Sir Edmund Osler, and also by Sir Edward Clouston that he was making an attempt to negotiate this transaction in different financial institutions. Notwithstanding that fact we find a certificate was issued purely upon the ipse dixit of Travers himself. We find the Minister of Finance entirely ignoring the representations which were made by those gentlemen whose names I have mentioned, and appealing to Travers himself. They communicated to Travers himself the fact that those allegations had been made, and Travers himself, the party charged with those very serious crimes, deliberately makes an affidavit that everything was all right, that he had complied with the provisions of the Bank Act, and that he wanted his certificate.

Hon. Mr. KERR—I desire to call the hon. gentleman's attention to Mr. Clouston's letter. In the first place it was a letter written after the thing had been done, and in the second place he says:

'And that a large proportion of the amount necessary to the obtaining of a certificate is a loan made upon the promise of its payment when returned by your department.'

It does not say to whom, or by whom, or anything else. Nothing but the most prejudiced eye could see the slighest pretext for a ground of complaint based on that letter.

Hon. Mr. LOUGHEED—It was Sir Edmund Osler made the statement.

Hon. Mr. KERR—I am talking of the other one. The hon. gentleman coupled the two.

Hon. Mr. LOUGHEED—Travers was a stranger to the Minister of Finance. He had apparently never met him before. He came down to Ottawa and was apparently introduced to him by Mr. Calvert. Notwithstanding the serious charges which were made against Mr. Travers—charges which afterwards resulted in his being placed in the penitentiary, charges which at that time indicated that he was utterly unfitted to be entrusted with so important a public trust as that of organizing a bank, yet entrusted with this certificate and stamped with the approval of the Minister of Finance. Who will gainsay the fact that those representations which had been made to Mr. Fielding, should have at once placed him upon his guard, and upon inquiry, and should have resulted in his absolutely refusing to entrust to those men so important a power as that involved in a certificate under the Bank Act. The question therefore arises: if this warning has been absolutely and deliberately ignored, and the result has been the great wrong which the depositors of that bank have suffered. What is the position that should be taken by the Government of Canada so far as these people are concerned? Let me read the finding of the commissioner as to this failure. On page 10 the commissioner finds as follows:

The subsequent management of the affairs of the bank was characterized by gross extravagance, recklessness, incompetency, dishonesty and fraud, and has resulted in the entire loss of the paid up capital and the whole of the deposits and that after allowing for all that can be extracted from the shareholders on their double liability, a loss amounting to no less than $1,806,437, making a record unparalleled in the history of any bank in Canada, or as far as I am aware in any other country.

When we think in the first place that the promoters of this bank, and particularly Travers, trafficked upon the name which was given to the bank, the Farmers Bank, in deluding the class of people who could least afford to make a loss to take an interest therein and particularly to entrust their deposits to it, we can very well understand the possibilities that appealed to Travers and his associates.

Hon. Mr. BOSTOCK—What about the Government of Ontario? Did they not deposit money in the bank?

Hon. Mr. LOUGHEED—Yes, truly they did. They perhaps were likewise deceived by the apparent results of the certificate which was given the bank.

Hon. Mr. CASGRAIN—Will they be reimbursed?

Hon. Mr. LOUGHEED—However, apparently they did not lose anything over the failure of the bank. There is no question as to the magnitude of the losses that took place on account of the failure of this bank, and particularly on the part of the small depositors. The suffering and distress that have resulted from the failure of the bank has probably never been paralleled in the Dominion of Canada, in the many other failures that have taken place. The attention of the Government has been directed from time to time to the distress which has been created in this way, and the question therefore presents itself to our mind, and it is for you to give proper consideration to it, as to whether or not the Government of Canada should not make good to those depositors the amounts which they have lost, through not only the negligence but the recklessness of the Department of Finance in thus not safeguarding the public rights in dealing with the issuance of this certificate.

Hon. Mr. DAVID—Did Mr. Fielding explain the circumstances?

Hon. Mr. LOUGHEED—I have read Mr. Fielding's explanations but he certainly has not been able to justify himself in the slightest degree. In my judgment he has not given any excuse for ignoring the representations made to him by his own friends, as well as by those who sat on the opposite side of the House.

Hon. Mr. ROCHE—How mas the money lost? Was it stolen? Or what was done with it?

Hon. Mr. LOUGHEED—It is not difficult to know how it was lost. It is not difficult to understand that if you entrust money to a man like W. R. Travers it would not take long to lose it. What we say is this: from the representations which were made to Mr. Fielding as to the character of Travers, as to the fraud which was being perpetrated in his endeavour to secure this certificate, the Government is at least morally bound to make good that loss. I am not going to enter at any length into an argument or discussion as to what the legal liability of the Crown might be. I am not going to discuss as to what the refinements of the courts or schools may be on a question of trust, except to lay down this ground—that the people of Canada look to the Government of this country in the carrying out of an important trust such as that involved in the administration of the Department of Finance, and more directly in administering the Bank Act, that that trust shall be properly discharged, that every care, that every caution, that all skill shall be brought to bear in administering all the duties imposed upon the Minister of Finance by that Act. It will be observed from the Bill before us the manner in which the money is to be paid to the depositors, the safeguards which will be observed in ascertaining who the depositors are, and the amount of the deposits. Under these circumstances and upon the grounds which I have already pointed out, I therefore move the second reading of the Bill.

Hon. Mr. BOSTOCK—The hon. gentleman has made out that the responsibility for this legislation and the vote that the Government to propose to ask this House to agree to, lies on the late Minister of Finance. He has quoted from the evidence that was taken and speeches that were made on former occasions in the House of Commons when this question has been under discussion. One of the strong points that the hon. gentleman tried to make with regard to this question was the fact that letters of Leighton McCarthy which were

sent to the Finance Department made certain statements and charges which were afterwards withdrawn. Those charges being thus withdrawn it was to be presumed that the matter, as far as it had gone up to that date, had been settled up, and the fact that certain statements were therein made would not necessitate the Finance Minister of the time investigating all these points that had been raised, inasmuch as Mr. Leighton McCarthy had withdrawn the whole case. My hon. friend referred to the evidence of Mr. Henderson in regard to this matter, but he did not show that Mr. Henderson ever told Mr. Fielding that the certificate should not be granted to the bank. It is quite true that Mr. Henderson and Mr. Fielding, at that time Finance Minister, had several conversations in the House of Commons and outside of it about this matter, and Mr. Henderson expressed himself as very much exercised about what was to be done about this bank.

This question came up first of all when the charter was being extended in 1906, and Mr. Fielding at that time, before the Banking and Commerce Committee of the House of Commons, opposed the extension of that charter for the full term of twelve months because he had at that time a feeling that it would be very much better not to give them the full length of time, inasmuch as they had already applied for one extension of time, and he did not approve of the name of the bank. However, when the question came up before the House of Commons committee Mr. Fielding was over-ridden by the members of the committee, and the extension of time was given for the full twelve months. After that time Mr. Fielding and Mr. Henderson had several conversations about the matter but in the report of the evidence Mr. Henderson is reported to have stated as follow in answer to the question put to him:

Q. The last application that I know of is contained in the Statute, 1906, which gave six months?

A. Yes.

Q. Do you remember that coming up in the Banking Committee?

A. Yes, it was limited to six months.

Q. Do you remember why?

A. Why it was limited?

Q. Yes?

A. We had in the Banking and Commerce Committee hesitated a good deal about extending the time; the Finance Minister objected very much, and I confess I concurred with him, usually supported him in that and on the second occasion when they came back, we simply gave them six months, thinking as they had had two years it was not well to keep the matter dangling before the people longer, and the time was limited because we thought they should have been more active.

Q. Was anything known as to who was interested in the bank at that time?

A. Well, I knew nothing about it, I think, beyond the names of the provisional directors as published.

So Mr. Henderson at that time had not much information that he could give Mr. Fielding, and no communication have I been able to find to the effect that Mr. Henderson ever told Mr. Fielding that he considered the certificate should not be granted. His anxiety seemed to be that the farmers of the district might be enticed to put their money into this bank or become shareholders of the bank, and therefore be injured to that extent. The hon. gentleman also referred to Sir Edmund Osler and his statement in this matter, but I have not been able to find that Sir Edmund Osler opposed the granting of the certificate; he was in the House at the time and he knew that the certificate was granted, but he did not at that time, when the House was in session, draw the attention of the minister to what was going on, and did not at that time raise the question in the House. So that although he had, as it appears, better information of what this man Travers was doing and his method of conducting business, he apparently did not think it worth while even to go so far as to put a written protest in to the Minister of Finance. All the information we have is that there were conversations between Sir Edmund Osler and Mr. Fielding in regard to this matter. The hon. gentleman has referred to the letter of Sir Edward Clouston, who was, at that time, President of the Canadian Bankers' Association. But that letter was written on the 30th November, the very day that the certificate was issued, and it is presumed that the letter did not reach the department until after the certificate had been granted. If we turn to the report of Sir William Meredith he specially states on page 9—

It was argued before me that there was a duty resting upon the Department of Finance upon receipt of the letter of the President of the Canadian Bankers' Association (Mr. Clouston) (exhibit 28) which reached the Department after the certificates of the Treasury Board had been given, to have taken steps to recall it, but I am not of that opinion and know of no power in the department or in the Treasury Board to recall a certificate.

Therefore, although Mr. Fielding at that time, might have had this information, when he received this letter from Sir Edward Clouston he was placed then in a posi-

tion that it was too late; he could not take any action. Then again, there appears among the exhibits of the evidence of the Royal Commission a memorandum respecting the Farmers Bank which of course was submitted to the Treasury Board by the Deputy Minister of Finance, Mr. T. C. Boville, and the memorandum reads as follows.

The undersigned has received an application from the Farmers Bank of Canada for a certificate to commence the business of banking.

The papers are all in order and have been submitted to the Department of Justice, who have advised that the evidence contained therein is such that the Treasury Board may lawfully accept it and issue the necessary certificate.

In connection with the papers it will be noticed that in the list of shareholders the information covers the amount paid by each shareholder on his subscription. This information was supplied at the request of the undersigned as a test of the good faith of the subscribers. The number of subscribers exceeds 500 and the stock is fairly well distributed amongst them.

The undersigned sees no objection to the granting of the certificate required by the Bank Act.

(Sgd.) T. C. Boville,
Deputy Minister of Finance.

Finance Department,
Ottawa, November 30, 1906.

It is to be presumed that the Minister of Finance has not time himself to examine into all those papers, and the memorandum placed before him in that case states that the papers are all in order and have been submitted to the Department of Justice. Now, surely if that was the case the Department of Justice would have advised Mr. Fielding on the question of those representations that have been made by Mr. McCarthy, if they considered that any steps should be taken to look into the action taken in that case. Then referring to this report of Sir William Meredith with regard to the way that this bank was handled, he points out on page 10 that:

Notwithstanding the irregularities on the part of Travers and his misconduct in connection with the application for the certificate, which I have mentioned, the evidence satisfies me that if the bank had been prudently and honestly managed there is no reason why it should not have succeeded. The promissory notes that had been given by subscribers were for the most part good and were subsequently paid, and while it is true that if the certificate of the Treasury Board had not been granted the money of the shareholders and depositors would not have been lost, the efficient cause of that loss was the recklessness and fraud of those entrusted with the management of the bank, and not the granting of the certificate.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. BOSTOCK.—That statement, in my opinion, would exonerate the action of the late Minister of Finance in dealing with this matter. I do not think that anybody at that time had the same opinion of this man Travers as they had after the whole thing was shown up and he was in jail; but in considering this matter hon. gentleman ought to place themselves in the position of the Minister of Finance, who had no information that would lead him to suppose that Travers was anything but an honest business man who was doing business with other men of reputation in Toronto. When he was asked to make a statement to the Finance Department for its further information, the reply that was received could be taken as being all correct, I do not therefore consider that the late Minister of Finance can be held responsible for what happened to this bank after it had been once started. There are other banks that had been chartered and have not done as well as the promoters and shareholders who went into the formation of the bank at the start, thought that it probably would; and if we are to take the stand that the Minister of Finance is to be held responsible because a bank happens to fail after it is started, we are putting the Department of Finance and the minister for the time being in a very peculiar position.

Again, in this report, page 9, Sir Wm. Meredith says that the most that can be properly charged against the Department of Finance, the Treasury Board is an error of judgment. If the stand is to be taken that whenever an officer of a department makes an error of judgment, that the Government is to come forward and make that error of judgment good, we shall be placed in a rather peculiar position before the country. Any one is liable to err; mistakes are made from time to time. Therefore the action that the Government has taken in this matter, is placing themselves and the country in a rather peculiar position with regard to this Bill. The hon. gentleman bases the action taken by the Government upon the report of Sir Wm. Meredith, but I think really what has happened in this case has been due to the pressure brought to bear on the Government by people interested, in a certain part of Ontario where these depositors are located. We have had accounts from time to time of delegations coming down here to Ottawa and making very strong demands on the Government to take hold of this matter, and at the end of last session the Prime Minister was asked and replied to the following question:—

FARMERS BANK—REMBOURSEMENT AUX DEPOSANTS.

M. ROCH LANCTOT: Monsieur le president, est-ce l'intention du premier ministre de donner une réponse à ma question du 5 courant, concernant la Farmers Bank?

Mr. BORDEN: The question of the hon. member is as follows:

Is it the intention of the Government to reimburse the depositors of the Farmers Bank? If so, does the Government propose to act in like manner with the depositors of the Bank of St. Jean and of the Bank Ville Marie?

The answer is as follows: It appears from the report of the commissioner appointed to investigate the matter of the failure of the Farmers Bank: (a) That the issue of the certificate of the Treasury Board authorizing the bank to commence business, was procured by false and fraudulent representations on the part of the promoter and subsequent general manager of the bank, W. R. Travers; (b) That in the commissioner's opinion it was incumbent upon the Treasury Board before issuing its certificate to have investigated certain charges made to the Department of Finance that the amount required by the Bank Act to be paid in respect of subscriptions had not in fact been so paid, and (c) That if the true facts had been disclosed, the certificate of the Treasury Board would not have been given, and thus the bank under the management of Travers would not have been authorized to commence business.

This was the statement made by the Prime Minister at the end of last session, and we have now this Bill brought before us dealing with this matter, and showing that the Government has carried out what it was asked to do by these delegations. Whether the policy that the Government is proposing to adopt in this matter is a good one, I do not propose to say, but in a case of this kind the Government has to take the responsibility of its own action. The Government is responsible to the people of this country and this is an administrative Act for which the Government alone is responsible. The people put them in power to manage the affairs of the country and look to them to discharge their duties in a proper and businesslike way. The Senate is not in a position to act as a watch dog over the treasury to prevent improper expenditure of the public money, and therefore the Government must take full responsibility for their action in this matter.

Hon. Mr. POWER—I regret that I cannot agree with the hon. leader of the Opposition; perhaps I ought to say I regret that the hon. gentleman does not agree with me. He has laid down the proposition that this is a matter with which the Senate has nothing to do, that it is purely administrative matter. I cannot conceive of any measure which would appeal more directly to our feelings as members of the Upper House than a measure of this kind.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. POWER—We are here to see, as far as we can do it, that the Government of this country is conducted in accordance with long established practice, and with justice and fairness. This Bill comes to us for our approval. The hon. gentleman, as I understand, does not approve of the Bill. He admits, as I think has been admitted, even in the House of Commons by gentlemen who supported the Bill, that the measure is a vicious measure. Then the question is what is the Senate here for if it is not to see that vicious measures do not become law.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. POWER—I propose before I sit down to move that the Bill be not now read a second time, but that it be read a little later.

Hon. Mr. LOUGHEED—To-morrow or next day?

Hon. Mr. POWER—Six months hence is a good time. What does this Bill propose? It provides that

From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole one million two hundred thousand dollars for the purpose of paying to the several persons who were creditors for moneys on deposit in the Farmers Bank of Canada, (hereinafter called 'the bank') the respective amounts standing at their credit in the books of the bank when the bank suspended payment; provided that nothing herein shall authorize the payment of any portion of such money to the holder of any charge upon the assets of the bank under section 131 of the Bank Act.

That means that $1,200,000 is to be taken out of the public treasury, contrary to the practice that has prevailed in this country, and as far as I am aware in every other civilized country, and that is to be used for the purpose—I had better not say just what I think about the purpose for which it is to be used—but it is to pay the debts of a defunct institution. The hon. leader of the Government read a certain amount of evidence taken in this case. The hon. gentleman is a counsel of great skill and experience and naturally he selected those portions of the evidence which minimized the viciousness of the conduct of the Government in introducing this measure. This is the way to look at it; I do not see why we should go into the evidence. That has been

gone into by a commissioner who was appointed for the purpose of investigating and making a report. That gentleman was one of the Chief Justices of Ontario and a man of great ability. Perhaps it does not count for much, but still he was a man who was at one time a leader of the Conservative party in the province of Ontario so that he cannot be suspected of having any special leaning towards the late Minister of Finance, or against the Government of the present time. There is just one point the hon. gentleman laid some stress on; a letter that the ex-Minister of Finance wrote to Mr. Travers for information. I refer to page 7 of the report which reads as follows:

Travers letter in reply, while it was intended to appear to give the assurance for which the minister had asked did not do so. His letter was a brief one and was confined to the statement that the provisional directors had not raised the money in the way mentioned by the minister and the further statement that the minister would find the statement that had been put in absolutely correct as to the amount of stock subscribed and the amount paid up. These statements though possibly literally true as Travers understood the transaction with the Trust and Guarantee Company which was that the loans were personal loans of his own, were, in fact, untrue, and the language used in his letter was deliberately chosen by Travers in order to make it appear that he was giving the assurance for which the minister had asked while he was in fact not doing so and could not truthfully do so.

A great deal of stress was laid by the hon. leader of the Government upon what Mr. McCarthy wrote to the minister, but as the hon. leader of the Opposition pointed out Mr. McCarthy withdrew his objection and then naturally the Minister of Finance felt that the road was clear, and he appears to have left the matter with the proper officer, that is his own deputy. The Deputy Minister is also the Secretary of the Treasury Board and Mr. Boville was the officer who would naturally prepare the statement to be submitted to the Treasury Board. As my hon. friend to my right pointed out, the Minister of Finance had not himself time to attend to all the details of a case like that. I will read from page 9 of the report as follows:

There is in my opinion no ground for supposing that any improper influence was used to induce the Treasury Board to give the certificate or to induce the Minister of Finance to recommend the granting of it, and the most that can properly be charged against the Department of Finance or the Treasury Board is an error of judgment. It was argued before me that there was a duty resting upon the Department of Finance upon receipt of the letter of the President of the Canadian Bankers' Association (Mr. Clouston), which reached the department after the certificate of the Treasury Board had been given, to have taken steps to recall it, but I am not of that opinion and know of no power in the department or in the Treasury Board to recall a certificate.

It is to be observed that this letter contained no further information than had already been communicated to the Minister of Finance by Sir Edmund Osler, Mr. Henderson and Mr. McCarthy.

I wish to call attention to the next paragraph, which reads as follows:

It was unfortunate I think that the information conveyed to the Minister of Finance by Sir Edmund Osler and Mr. Henderson as to the way the money deposited by the bank had been raised, if it was intended to prevent the issue of the certificate, was not conveyed to the minister in writing, and it may be observed as probably indicative of their view as to the gravity of the irregularities of which they had been informed, that neither of them, though both were members of the House of Commons, when the fact that the certificate had been given came to his knowledge, called in question in the House the action of the Treasury Board, or made the granting by it of the certificate the subject of inquiry.

It is not necessary to repeat what has already been read by the hon. leader of the Opposition, but it may not be improper to repeat some of it because it shows what the real cause of the failure of the bank was.

Notwithstanding the irregularities on the part of Travers and his misconduct in connection with the application for the certificate, which I have mentioned, the evidence satisfies me that if the bank had been prudently and honestly managed there is no reason why it should not have succeeded. The promissory notes that had been given by subscribers were for the most part good and were subsequently paid, and while it is true that if the certificate of the Treasury Board had not been granted the money of the shareholders and depositors would not have been lost, the efficient cause of that loss was the recklessness and fraud of those entrusted with the management of the bank, and not the granting of the certificate.

The Commissioner, the Chief Justice of Ontario, says—

The efficient cause of that loss was the recklessness and fraud of those entrusted with the management of the bank, and not the granting of the certificate.

It appears as a matter of history that the money necessary, the $250,000 was actually paid up, and consequently what the Minister of Finance might have insisted upon being done before the certificate was granted, and what he thought had been done, was actually done, and the bank started with a fair chance of success. The quarter of a million dollars was there and everything was right except the character of the general manager, a gentleman whom Mr. Fielding did not know at all, and pos-

sibly the character of the president of the bank, who did not appear in the transaction. The report of the commissioner undoubtedly clearly exonerates the Minister of Finance of that day. There is another paragraph which may be worth while reading on page 10, which reads as follows:

> The subsequent management of the affairs of the bank was characterized by gross extravagance, recklessness, incompetency, dishonesty and fraud, and has resulted in the entire loss of the paid-up capital and the whole of the deposits, and that after allowing for all that can be extracted from the shareholders on their double liability a loss amounting to no less than $1,806,437, making a record unparalleled in the history of any bank in Canada, or, as far as I am aware, in any other country.

Sir William Meredith says that disaster was caused by the subsequent management of the bank; it was not the granting of the certificate. You might as well say that if this application had never been made to the Treasury Board these losses would not have taken place, as to say that if the certificate had not been granted the losses would not have occurred, if the bank had not been incorporated by Parliament, if these extensions of time had not been granted, there would have been no loss. If any one was responsible we must share the responsibility, because we should not have extended the time. I do not propose to deal with the report any further, except to direct attention to what the probable future results of our passing this Bill may be. The Canadian banking law is recognized at the present time as being one of the best banking laws in existence. It has been highly praised by financial people in the United States. In England they recognize the fact that our banking system is a good one, and the hon. leader of the Senate, himself, laid stress on the care that we take to prevent fraud and to keep up the character of our banking system. Now, what will people be able to say about our banking system if we pass this Bill? It means, as I hope to show presently, that when a bank is organized its shareholders, instead of feeling that they are incurring a double liability out of their own property, shall feel that they have the treasury of Canada behind them to make good losses by the depositors. That is really what it will come to, because this thing is not going to stop with this Farmers Bank. Two banks have failed within a comparatively short time within the province of Quebec—the Bank Ville de Marie and the Bank of St. Jean. There was a bank failed a very short time ago in Ontario, the Sovereign Bank. If this measure becomes law and the depositors of the Farmers Bank are to be recouped for their losses, what about the depositors in the other banks? We will have this condition of things, that after prorogation the members of both parties who go back into the provinces of Quebec and Ontario will be appealed to with a view of retaining or acquiring the support of the electors in the district who have suffered from the failure of those banks, and who will cite what has been done for the depositors of the Farmers Bank. Where is that sort of thing going to end? Hon. gentlemen, I do not think there has ever been a case where it was more clearly the duty of the Senate to act, and act with decision and promptness. If we pass this Bill the candidates of both parties will be appealed to and they will be compelled to promise that legislation will be introduced to recoup the depositors in at least three banks that I have mentioned. What on earth is going to become of this country if the public treasury is to stand behind all the banks? We are proud of the fact that we have a number of very stable banking institutions, but if we pass this Bill and establish a precedent, what will be the case: It will be just this that we offer a premium to dishonesty and incompetence on the part of directors and shareholders and managers of our banks. Why should the shareholders be particularly careful as to the way in which the bank is managed, if it is felt that when the bank comes to grief through their negligence, the public treasury will be called upon to recoup the depositors. I have the honour to move, seconded by the Hon. Mr. Thompson, that this Bill be not now read a second time, but that it be read a second time this day six months.

It being six o'clock the Speaker left the Chair.

After Recess.

Hon. Mr. CLORAN gave notice that if the Farmers' Bank Bill should become law, he would at the next session of Parliament introduce a resolution asking that those who lost through the failure of the Hochelaga Bank, the Bank of St. Hyacinthe, the Sovereign Bank and other banking institutions should be reimbursed for their losses.

Hon. Mr. LOUGHEED—How does my hon. friend propose to get that on the Order Paper for next session.

Hon. Mr. CLORAN—I propose to get it published as an advertisement for the people of Canada. I want the depositors of other banks that have failed to demand that the Government bring in a measure to recoup them for their loses. That is the only object I have in view.

Hon. Mr. DONNELLY—I am somewhat surprised at the position taken by the hon. member from Halifax (Hon. Mr. Power) and the hon. leader of the Opposition in regard to the warning given to Mr. Fielding then Minister of Finance, by Mr. Leighton McCarthy, to the effect that the promoters of this bank were endeavouring to secure their certificates by improper means. The hon. gentlemen practically admit that such warning was given, but as they say it was afterward withdrawn, and it should not be considered any further. Now the facts are these: Mr. Leighton McCarthy was acting for some half dozen shareholders of the Farmers Bank who were his clients. The warning that he gave to Mr. Fielding was given simply for the protection of his clients. In some way the promoters of this bank became aware of this fact and settled with Mr. McCarthy's clients, and his objection was, quite naturally, withdrawn. He had no further interest in it, as a solicitor for his clients, but the fact still remains that Mr. Fielding had received this warning. He had also been warned by Mr. Henderson, M.P., and other parties that the promoters of this bank were endeavouring to evade the provisions of the Bank Act, and it was his bounden duty to have a most serious investigation into the methods adopted by Mr. Travers and his friends, in order to secure this certificate. The Bank Act provides that before a certificate may be issued, at least $500,000 of stock must be subscribed, and at least $250,000 must be paid up. Now the objection that Mr. McCarthy was taking was that this provision was not being complied with. He wrote to Mr. Fielding as follows:—

I have received information that the alleged subscribers for shares paid a large sum of money in cash and have signed notes for other large sums of money, and that the persons professing to act in the name of the bank have transferred notes and received the proceeds, and that a deposit either has been made or will be made of the cash received and the proceeds of these notes, or sufficient amount to make up $250,000.

The Royal Commission did not quite agree with my hon. friends in their view of the subject. I will read this finding:—

The officials of the Department of Finance appear to have treated Mr. McCarthy's letter as if it had never existed, and, in my opinion, in that they erred, for, although Mr. McCarthy on the 2nd November, 1906, wrote to the minister informing him that the claims made by his clients had been 'settled by their subscriptions being taken up by some parties interested in the bank and refunding the money paid by the individuals or returning the notes which had been given' and had withdrawn the objections which he had made on behalf of his clients to the issue of certificates, Mr. McCarthy did not in any way intimate that the information he conveyed to the minister as to the way in which the $250,000 had been made up had been found to be incorrect.

So that he merely withdrew his objection as solicitor; the information still held good.

Hon. Mr. CLORAN—He gave it as a solicitor, and he withdrew it as a solicitor.

Hon. Mr. DONNELLY—The fact remains that the minister had the information. The hon. gentleman from Halifax argued that if this bank had been properly managed after the certificate was granted, it might not have failed. I quite agree with that, but it was too much to expect that where the promoters resorted to fraud and deception in order to obtain a certificate, that they would then change round, become highly moral men, and conduct the affairs of the bank in a proper manner. That was too much to expect. The story of their granting of this certificate is a story of deception, fraud, and I may say, inefficiency.

Hon. Mr. CLORAN—On the part of whom?

Hon. Mr. DONNELLY—On the part of the Department of Finance.

Hon. Mr. CLORAN—That is, Mr. Fielding.

Hon. Mr. DONNELLY—He was Minister of Finance at the time. I trust the hon. members of this Senate will not be influenced in casting their vote by the fear that, by supporting this measure, they will in some way be striking a blow at the reputation of the Hon. Mr. Fielding. That reputation is too well established in this country to be wrecked by such an incident as this. I believe Mr. Fielding to be honest and capable but we all know that to every rule there is an exception, and this was one of the exceptions, for there is no doubt that there was inefficiency in some way on the part of the Department of Finance. Just a word in regard to the name of Farmers' Bank. The gentlemen who promoted this bank were not farmers. The prospectus that was issued by them had on it the name

of some fifteen men who agreed to act as directors, after the bank was established. Only one of the fifteen men was a farmer. The desire of the directors was to be placed in such a position that they might farm the public. A large number of the branches of this bank were established in country towns and villages, and the depositors to a very large extent were retired farmers or labourers, whose active and productive days had passed. They were in a large measure dependent on the money they had deposited in this bank for their maintenance, during the later years of their life.

Hon. Mr. POWER—Is that not true about every bank that fails?

Hon. Mr. DONNELLY—Yes, but these people are not asking for charity. They are asking for what they believed to be their rights.

Hon. Mr. CLORAN—What about the St. John Bank?

Hon. Mr. DONNELLY—They claim they deposited this money in the Farmers Bank because it had been recently granted a certificate by the Department of Finance. I have no doubt they were influenced to some extent by the name 'Farmers.' That fact to some extent induced them to deposit their money there. I am told that some of them at least have been forced to go to the House of Refuge. Others have struggled on. They have brought their case before the Government of the day, and have convinced the Government that they have a just claim. This Bill has been passed by the House of Commons and is now before the Senate, and upon the decision of this hon. House depends whether these people, who are watching the course of this Bill with a great deal of interest, will obtain relief. They are aware that the measure has passed the House of Commons, and they know that the fate of the measure rests now with the Senate. Upon the division which will be taken on this Bill depends, very largely, whether many of the people who did pioneer work in the rural districts of Ontario, who have deposited the earnings of their productive years in this bank, shall enjoy the profits of their labour, or shall be obliged to look to other sources for their support during the remainder of their lives.

Hon. Mr. CHOQUETTE—Important matters like this one, and another one that is pending before the House, should not be brought up in the closing days of the session. We have been here nearly five months, and it seems to me that if the Government had been very anxious to have this Bill passed, and another one referred to a moment ago, this measure would have been brought up sooner. We have to fulfil our duty in this House, and when we are in the last days of the session, and the heat is oppressive, when everybody is anxious to go home, it seems like imposing ourselves on the House, even when we take only a few minutes to express our views on such an important measure. We are in the position of not being able to fulfil our duty completely because we cannot give all the very good reasons we have, in reference to this or any other Bill; but we must just say a word or two giving some reasons we have for opposing this measure. It is most unfortunate, not only for this Government but for other governments, not to bring their most important measures at the beginning of the session when they could be discussed, if they are not absolutely ready to pass, they might stand with their amendments, if brought on sooner, so that we might have occasion to inquire into those measures, discuss them, and not be obliged to see them railroaded through the Senate—and especially this Bill. We have all some little sympathy for the people who are supposed to be relieved from misfortune by this measure. At first sight we felt a little inclined to say that, if it were possible, if it were in the interests of the country at large, if a precedent like this should be created, we should feel inclined,—as I may say I was at the outset,—to say, 'Here are poor people who have suffered through the dishonesty of Mr. Beattie and Mr. Travers, and we might perhaps come to their rescue.' More than that, we would be inclined to pass a Bill like this in the case of others who were in similar difficulty. But this Bill is an exceptional one and I have no hesitation in saying that it is an exception created by a bargain, a barefaced bargain, between some eighteen or twenty members from Ontario and the Government, and with somebody else who has a Bill to bring before this House, and which the Government is obliged to bring—the Canadian Northern Bill—and the Government has been obliged to bring the two together. Otherwise we would not see this Bill before this House. I have no hesitation in saying that this Bill is the result of that bargain. Some twenty candidates at the last election promised that the Govern-

ment would recoup these Farmers' Bank depositors, and that they would bring force on the Government to have this Bill passed, during the first session after coming into power. At that session and the second session they did nothing—the occasion not being important enough to get the Government in a position to be afraid of those members; but this session Messrs. Mackenzie & Mann,—whose tool the Government is,—who have put this Government in power with the help of some eighteen important men in Toronto,—have come to ask the Government to do what they think right for them, to return the compliment that they paid the Government in September, 1911. So the Minister of Finance, who is a good friend of Messrs. Mackenzie & Mann,—he is their minister,—has decided to bring in a Bill. But as soon as this measure was decided upon, to come to the rescure of Messrs. Mackenzie & Mann, twenty members from Ontario come to the Government, saying, 'This is our opportunity; this is our time to fulfil our promises, when you are fulfilling your promise to Mackenzie & Mann; the Mackenzie and Mann Bill will not pass unless you bring in a Bill to recoup the depositors of the Farmers' Bank. That is a bargain, and I have no hesitation in saying the Government is fulfilling this bargain—a three sides bargain between these twenty members and the Government, and the Government and Mackenzie & Mann That is the position. And now we are asked to adopt this Bill, and we have heard some members on this side of the House, I am sorry to say—I do not call them Liberal members because in this House I do not like that we should be called Liberal or Conservative, Tory or Conservative; we are independent members, we are judges in this House,—we have heard them say: 'Oh, let the Government have the responsibility of that, don't meddle with it; let it go: Probably we will see the same reasoning applied to the other important Bill. I endorse every word which the senior member for Halifax has said. What are we here for? Are we here just to say thanks to the Government when they bring in some good measure? It is no good to say that. The country is safe when good measures are brought in, but when the Government brings in such a bad measure as this one, are we going to say we wash our hands of responsibility? What are we here for but to defend the country, to protect the Government and to say to the Government that it is wrong—not from a political point of view, but for business reasons, for moral reasons, for reasons of the interests of this country. I say this measure is a bad precedent, because it makes a distinction. As long as the Government does not guarantee all those who put their money in banks, there is no use to create a precedent like that. If the Government is going to guarantee all depositors, then we will see about that measure; but to bring in this measure, under the circumstances which this Bill is brought to-day, is a very bad thing. It is a bad Bill, and even those who are willing to wash their hands and to say, 'Let the Government fall,' say that it is a bad Bill. Well, I say that we are here to throw out bad legislation, we are here to protect the Government from going further than they should; we have seen that friends of the Government in this House have been telling other members in this House that they hoped the Bill would be killed here, that the Government have been compelled to bring in this Bill, but they hope it will be killed here. Well, I too hope it will be killed.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. CHOQUETTE—So if this is a bad measure, as I believe, a bad precedent is created. Why? Because, being members of this House, whether friends of the Government or not, as judges in this House, having to pass judgment on the measure, why should we not say, without consideration for one party or the other, that this Bill is bad and it will not pass? More than that, seeing we all have sympathy with those who are in misfortune, this Bill is playing a double game, and I shall prove it in a moment by what has been said by members of the Government in another place. We remember that the question was put by a member there, asking if it was the intention of the Government to recoup the depositors of other banks, the Prime Minister himself said no. After he had talked the matter over, I suppose, after that sitting was over, one of his colleagues from Quebec, must have said 'That is a bad answer, and may do you some good in Ontario, but in Quebec, New Brunswick and places where other banks have also failed, we will be in a bad fix. Then that same Prime Minister must have said to his colleagues from Quebec, 'Well you will have to speak; you say what you want; you try to fix up matters, in order to give hopes to other people in Quebec and elsewhere—in order to cash in votes—

as they did in Ontario in 1911.' Here is where the measure is worst, because it is just to catch votes; it is not sincere; it is not introduced because the Government think that the Bill is good and that those people should be paid up; but because they wish to fulfil the political promises in one province, and because now they wish to fish for votes in other provinces. And what happened? On the fourth of June, in another place, when the Postmaster General was speaking, after having been approached by members from counties interested, with a great number of depositors, he said, 'Oh, well, we have passed the Bill, we did not include the other depositors of other banks, but if they put in their p tition and ask the Government to do it for the Banks of Ville Marie, St. Hyacinthe, St. Jean, the Sovereign Bank, and the Bank of New Brunswick, if they bring up their claim next session, or after next session, we will consider their claim the same as we did for this one, and we will recoup them if their case is just as clear as this one. Then we will do that.' Their case is just as clear as this one. If you look at the Commons Debates of the 4th June you will find the words of the Postmaster General which I have quoted. If the Bill proposed to recoup all those who have lost by bank failures, we might take a different view of it; but it is still worse when we find that it is proposed to pay only one class of depositors, and they are sending out promises all over the country to pay others, when the time comes that it may be helpful in an election. I shall support the motion for the six months' hoist, in order that the Government may have time to hear from the depositors who lost money through other bank failures, and have time to look into their claims and be prepared, next session, or after the next election, to decide who are entitled to be favoured. Let them bring in a Bill covering all cases impartially, and we will see what we will do. To pass this Bill now would be to establish a bad precedent, because this is a bad Bill—one saturated with corruption. It is merely fulfilling an election promise, and brought in simply because the Government have been compelled to do so in order that they might pass the other Bill which we are to discuss to-night or to-morrow. For these reasons we had better refuse to pass this measure now, and let the public discuss it, then, if the people approve of it in the next election, let us pass a measure to cover the case of all losers by bank failures. What are the friends of Mr. Fielding asked to do to-night? They are asked to say by their votes, or by not voting, that the charges made against Mr. Fielding are true. Although they pay compliments to Mr. Fielding, they say he is responsible for the losses that have been sustained by those who deposited money in the Farmers' Bank. If we vote for this Bill we condemn him. Are the friends of Mr. Fielding prepared to do that, when we all know that the bank's failure was brought about by Mr. Beattie, a good Tory leader, and by Mr. Travers? One of them is in the penitentiary and the other, I hope, is in Heaven. We all know that this bank was supposed to be in good standing because the Ontario Government deposited the money of the people of Ontario there. If it is true that Mr. Henderson, M.P., Mr. McCarthy, and Sir Edmund Osler gave the information that the bank was not sound, how does it happen that the Ontario Government deposited its money in that institution? Are we going to blame the Ontario Government for having done that? The Government put its money into the bank and lost by it. I suppose we will have to recoup the Government also. The Government money from the province of Ontario, had been put in, not with the farmers' money, but had been put in a mine for the benefit of Mr. Beattie and some others, and if the mine turns out bad, the money is lost. So, the bank is on the same footing as another bank, perhaps in a better position, and I do not see why, if the Government is serious and sincere—unless they have no other motive but to fulfil the election promises and complete their bargain—they should not recoup all other banks. I will support the motion made by the senior member for Halifax.

Hon. Mr. MASON—A good deal of surprise was felt in financial circles in Toronto when it was known that Mr. Travers had applied for a charter for the bank of which he was supposed to be the general manager. His reputation as a banker was none too good. He had left the employment of a bank where he had served many years, and could get no employment in any other bank. It was felt also that it would be impossible that he could obtain sufficient subcriptions of stock to entitle him to a certificate from the Treasury Department. However he did succeed, and it is well known that the attention of the Finance Department had been directed to some ir-

regularities in connection with the payments on these stock subscriptions. That would have seemed to have settled it, as far as giving the certificate was concerned, but much to the regret of the banking community, the certificate was granted. It was felt that the result would be disastrous, and that the bank would have to suffer the stigma of another bank failure in Canada.

Hon. Mr. CLORAN—Why did the Banking and Commerce Committees of the Senate and House of Commons extend the charter to that bank?

Some hon. GENTLEMEN—Order, order.

The SPEAKER—The hon. gentleman is not in order. He has no right to interrupt a member addressing the House. If he wants to put a question, let him stand up and ask permission.

Hon. Mr. CLORAN—It is simply an interjection. If the hon. senator does not know the difference I cannot help it.

The SPEAKER—Order.

Hon. Mr. MASON—It was felt that the Government's attention having been drawn to these irregularities, they would naturally inquire as to the antecedents of the proposed general manager. If that had been done in the proper quarters the charter woud not have been granted; I feel convinced of that. I know that this gentleman had applied for a position in another bank as a manager of one of the branches. The general manager of the bank in question wrote to the former general manager about Mr. Travers and received such a report that he did not feel justified in employing him. I admit, of course, that the circumstances of this application for relief are very exceptional, and the case is very exceptional. When a certificate is granted by the Treasury Department for the organization of a bank, the unthinking public, which I think form the majority of the public, do not question very closely the antecedents of those in charge of a bank, particularly if it is a branch in a small town. They see the office open there, and an engaging young man as manager, and they think it is a safe place to put their money. They feel I am sure, that with the backing of the Government certificate that their money is safe, I would like to institute a comparison; if any hon. gentleman in this House had a position of trust in his gift, or required some trustworthy person in his business, and that this trustworthy person was recommended by a friend in whom he had confidence, he would not hesitate to give employment to that person. But if he had found later that he had been deceived, that his friend had recommended a person unworthy of the trust, and that he had suffered serious loss in consequence, he would feel that his friend was morally indebted to him and morally bound to make good the loss. That is the idea that prevails in connection with this Bill, and had the Government taken what an ordinary business man would consider ordinary precautions, that bank would never have had a charter. I am satisfied of that, and the Government failing in their duty, seem to me to be responsible for the loss these innocent depositors have suffered. Taking that view, it is my intention to vote for the Bill.

Hon. Mr. TAYLOR—I must express my high regard for the hon. gentleman for Grandville (Hon. Mr. Choquette) for the expression that he made in reference to a departed brother in the person of the late Beattie Nesbitt. He prayed that his soul might be in a good place. I am glad to hear my hon. friend use that expression.

Hon. Mr. CHOQUETTE—I hope to meet him there.

Hon. Mr. TAYLOR—It shows that at least there is going to be a good feeling. I feel it my duty to say a few words for several reasons: first, because I spoke and voted when a member of the other House in favour of justice being done to the depositors of the Farmers Bank; we had two branches of that bank in Leeds county, and many persons, widows and poor people had placed their all in that bank. For that reason I feel it to be my duty to support as strongly as I can the Bill now before the House granting simple justice, because I feel the late Government made a mistake in granting the certificate to allow that bank to do business. Had they not done so, these people would not have lost their all—many of them. In the next place the junior member for Halifax in the House of Commons, Mr. McLean, stated that a gentleman who had been a member of the House of Commons but who now sat in the Senate had spoken in the Commons and voted in favour of the Farmers' Bank, but was now canvassing in the Senate to have the Bill defeated. He mentioned no name but said he would give the name to the member who contradicted it in the House of Commons, if that member came to him privately. I met Mr. McLean in the corridor one day and he said 'I referred to you the other night' but there was

an explanation made, and he accepted it. However the rumour has gone through the Senate and the House of Commons that I was canvassing against this Bill. Now I challenge any member on either side of the House to make that statement. I supported the Bill in the House of Commons and I intend to support it here. I do not intend to play double, but there are some gentlemen in the House of Commons who do, and I have had placed in my hands several copies of letters that have been sent out to people who suffered by the bank failure, promising their support, and when the vote came around they voted against it in the other House. There was a Mrs. Janet Suitter, of Millbank, Ontario, who lost money in the Farmers' Bank failure, and she wrote to the leader of the Opposition, the Right Hon. Sir Wilfrid Laurier, on January 10, 1913, and I have the answer of Sir Wilfrid here which reads as follows:

Ottawa, January 10, 1913.

Dear Madam,—I am directed by Sir Wilfrid Laurier to acknowledge the receipt of your letter of the 8th instant and to assure you that he is prepared to do his best in connection with the matter to which you draw his attention.

Yours respectfully,
(Sgd) J. L. Guire,
Private Sercetary.

Mrs. Janet Suitter,
Millbank, Ont.

This lady wrote again to Sir Wilfrid, and received the following reply:

Ottawa, March 8, 1913.

Dear Madam,—I am requested by the Right Hon. Sir Wilfrid Laurier to acknowledge the receipt of your favour of the 3rd instant, and to tell you that he will heartily support any measure of the Government which is consistent with his duty.

Yours respectfully,
(Sgd.) J. L. Guire,
Private Secretary.

Mrs. Janet Suitter,
Millbank, Ont.

The letter makes no reference to the Farmers' Bank; it is a political letter, but it is in answer to a letter that she wrote respecting it.

Hon. Mr. CLORAN—That is not legal evidence.

Hon. Mr. TAYLOR—Will the hon. gentleman hold his peace?

Hon. Mr. CLORAN—I rise to a point of order. The hon. gentleman is reciting a document which has no connection with the subject under debate, and he is trying to connect the leader of the Opposition with that document and this debate, as to the ruling of the Speaker.

The SPEAKER—The hon. gentleman has the right to read a letter.

Hon. Mr. CLORAN—Certainly, but has he a right to read a letter which has no connection with the Bill?

Hon. Mr. TAYLOR—The Speaker has ruled, and the hon. gentleman shall keep order.

Hon. Mr. CLORAN—The letter has no connection with this Bill. The hon. gentleman is attempting to connect the leader of the Opposition with that letter, with the woman who wrote it, and with his Bill.

The SPEAKER—If the hon. gentleman does such a thing, I hope the members of this House are intelligent enough to understand it.

Hon. Mr. CLORAN—You ought to have sense enough to stop him doing it.

The SPEAKER—The hon. gentleman from Victoria division, has a right, afterwards, to rise in his place and show that the letter has no connection whatever with the Bill.

Hon. Mr. TAYLOR—I shall read a letter that my hon. friend will not deny has connection with this Bill. It is as follows:—

Ottawa, Nov. 21, 1912.

A. L. Minthorne, Esq.,
Oakwood, Ont.

Dear Sir,—Your letter of the 20th inst. is at hand. In reply allow me to say that you are entirely mistaken in assuming that the question standing in my name on the Order Paper is designed to 'throw obstacles in the way of the unfortunate depositors receiving aid from the Government,' such was not, and is not, my intention.

I am pleased to hear from such a staunch Liberal as yourself and will appreciate the further information which you intimate you will send me.

Yours very truly,
Chas. Murphy.

Mr. Charles Murphy voted, or rather paired, which is the same thing, against the Bill in the other House.

Hon. Mr. CLORAN—What does that all mean?

Hon. Mr. TAYLOR—Here is another letter dated House of Commons, Ottawa, 29-4-13—that is the 29th of April of last year.

Hon. Mr. CLORAN—From whom is that letter?

Hon. Mr. TAYLOR—None of your business.

Hon. Mr. CLORAN—I rise to a point of order. Here is a gentleman reading a letter and he tells us that the Senate has no right

to know where the letter comes from, and to whom it was addressed.

The SPEAKER—I suppose if he reads the letter he will give the signature.

Hon. Mr. CLORAN—I want to know to whom it is addressed. It is most unparliamentary to say that it is not the business of the House to know.

The SPEAKER—In some of the letters, the address is at the head, and in some at the foot of the letter. Not having seen the letter I cannot say whether the name is at the head or at the foot.

Hon. Mr. CLORAN—That is hair splitting.

Hon. Mr. TAYLOR—The letter is as follows:

House of Commons,
Ottawa, 29/4/13.

A. L. Minthorne, Esq.,
Oakwood, Ont.

Dear Sir,—In reply to yours of the 28th April, the Government has been spoken to two or three times about this Farmers Bank matter and will be again, you can rest assured. I do not think the opposition would place any material objections in the way except that some of them, I think, are probably losers in some other bank troubles and might insist on the Government paying their losses as well.

There were not as many losses in Brockville riding as in Leeds, although there were quite a few in the former, several widows having been victims of the failure. I have written several of these that I would not put a straw in the way of their getting their money, but rather take the view that the Government ought to keep their pledges.

Yours truly,
Geo. P. Graham.

Now, all these gentlemen are paired against the Bill, though they wrote these people that they would not throw a straw in the way of its passage. I hope there is not a member of this House who will do a thing to prevent these people, who deposited their money in the Farmers' Bank because they thought the Government stood behind the bank, from getting their losses recouped. I hope every hon. gentleman who takes that view—and we all ought to—will do what he can to have it passed. I have no sympathy with the shareholders, because they took their chances, but the depositors who are suffering ought to be recouped.

Hon. Mr. McHUGH—I have listened with considerable interest to the discussion on this Bill, and I regard it as a matter very largely of finance, and not one of great public concern. It is, however, of very deep interest to nearly seven thousand people whose money was deposited in the Farmers' Bank. A good many of the depositors were labouring men who put their money in the bank, not for investment or speculation but for safe keeping. Many of them were people who had retired on a very small pittance—five or six hundred dollars. The average loss is about $1,700. In a district where business is carried on, you extensively will find as large an amount deposited by one concern as the entire deposits of the seven thousand depositors in this matter amounted to. I shall not deal with this question from a political point of view; there have been a little to much politics brought into it, and I am not going to charge it all to one side or the other. I cannot see where the leader of this House or any one else can find in the report of the commissioner one word of fault found with the manner in wich Mr. Fielding and the Treasury Board granted the certificate to that bank. The commissioner entirely exonerates him. It has been said that the manager of the Bankers Association wrote to Mr. Fielding asking if he could not withdraw the certificate, but the commissioner says that the Finance Minister could not, at that time, withdraw it. We have heard a good deal of the warning the Finance Minister got from Mr. McCarthy who was solicitor for some people who had subscribed for shares. He afterwards withdrew it, and said that his clients were satisfied. Reference had been made to warnings the minister received from the member for Halton, and from Sir Edmund Osler, member for one of the Toronto seats. If the commissioners' report condemns any one for allowing that charter to be granted, it is Mr. Henderson and Sir Edmund Osler, and I challenge any one to deny that statement. It is there in black and white, where Sir William Meredith says it was unfortunate that these men, who were members of Parliament, did not rise in their places in Parliament and give the information that they were whispering to Mr. Fielding and others. They were not only members of Parliament, but they were members of the Committee on Banking and Commerce. If they had information that the bank was being established by dishonest men and by fraud, why did they not give that information to the committee? If they had done so, I guarantee, as one who sat for some years in Parliament, that the charter would never have been reported from the Com-

mittee on Banking and Commerce. There are some 6,840 depositors who lost money through the failure of that bank. Some of them are old people and when the first blow came some went to premature graves, some to the house of refuge, and others to the asylum. It was a hard blow to these people when they found their money gone. The weaker ones, as I say, fell at the first blow; others came to the Government and asked to be recouped. If this is a bad Bill, the Senate is not responsible for it; the Premier and Finance Minister are responsible. They promised the depositors that they would give this matter due consideration, and then held them over for a year. These losers lived in the hope that something would be done at the next session, because they had the promise of the Government that a Bill would be introduced for their release. Their hopes were raised only to be disappointed; the Bill was not introduced. Then the Government said, 'we will bring in the Bill next session,' and that is how it comes before us now. I for one shall not by my vote keep these people leading a living death. My voice is for recouping them for the losses they have sustained. I shall not leave it in the power of anybody to promise these poor people that something will be done next session, when the Government hope to have greater control of this House than they have now. I shall vote for the measure before us, and in doing so, shall not consider myself as condemning Mr. Fielding. The hon. member from Halifax (Hon. Mr. Power), asks what is going to become of our country, if we set a precedent of this kind. We are setting a precedent which, in my opinion, will stop such catastrophies in future. By paying the depositors who lost money through the failure of this bank, we are establishing a precedent which will bring about governmental inspection and Government audit of the banks of this country, and bank failures will not occur when we have proper investigation. It will be impossible then for people who are not familiar with finance, and who believe that the Government is behind every chartered bank, to lose their deposits. I know that at least ninety per cent of the farmers of this country, up to the time that this bank failed, had the belief that, because this was a chartered bank, they could not lose their money; they believed the Government was behind it. I hope to see this matter put out of the way, and not to keep these unfortunate people hanging by a rope over a limb. They raise the rope a little, and again drop a little, from year to year. Give them their money and let them go.

Hon. Mr. DAVID—Although much may be said against the present Bill, and although very strong arguments have been brought against it, I consider that the managers of the bank were mainly responsible for the loss sustained by the depositors. But I take it also that the late Government was responsible to a certain extent. I am convinced that the depositors in the Farmers Bank were induced by this certificate, which was issued by the Treasury Board, to put confidence in that bank. And that is the principal reason why I shall vote against the six months' hoist, and in favour of the Bill. If we had to do with capitalists, or with business men who were acquainted with the law, and knew the result of their doings, I would be less inclined to vote for such a Bill, but we have to do with poor people in general, poor farmers who were naturally inclined to think that when the Treasury Board issued a certificate in favour of that bank, they would not do so unless the promoters had done what the law required.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. DAVID—Then I think it is an act of justice to vote in favour of this Bill. Some say it would be a bad precedent. Well it would be a bad precedent if we do not do in future what the circumstances require. If other banks come to the same conditions, and if they can show that the depositors of those banks were induced to put their money in a bank by certificate given under the same circumstances, I shall vote to do what I am doing in the present case, in favour of the depositors of other banks.

Hon. Mr. BEIQUE—I would like to ask the hon. leader of the Government about how long this bank was in operation?

Hon. Mr. LOUGHEED—About four years.

Hon. Mr. BEIQUE—I shall not take more than a few minutes of the time of the House, after the debate which has taken place on this Bill, if I did not consider this Bill of more than ordinary importance, of more importance than it appears at first sight, I should not speak at all. According to my own judgment the question which arises in connection with this Bill is this: is this Parliament going to adopt a new departure, and a departure which may lead us very far indeed. It will be admitted that this mea-

sure should not be dealt with as a matter of sympathy. My sympathies, like the sympathies of other members of this House, go out to those who lost their money, but we have other duties to perform here; we have to consider whether the measure which is presented to us commends itself to our judgment. I call your attention to this, that if you apply the relief which is sought to be granted by this Bill you should do the same thing whenever any people in the Canadian community are placed in the same position, and may urge about the same reasons for help. I draw your attention to the fact that this Bill will be a standing invitation to all people who may consider themselves as occupying the same position, to ask the relief of Parliament.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. BEIQUE—Now, we have not only banking institutions, but we have other institutions where this question will arise. We have all the insurance companies. Under the Insurance Act it is incumbent upon the Treasury Board, through the Superintendent of Insurance, to see that before any company can do business of insurance that so much money is deposited for one branch and so much for another branch of the business, and so on. So that you see the field that we are going to open, if we decide as a matter of policy that the Government should come to the rescue of people who may lose their money, whether with banks or insurance companies or other companies, which I might cite, is one that gives a wide vista. Now I take it that Parliament is not ready to assert that there is any duty incumbent upon the Government; otherwise we would be asserting the principle that because an employee of any department of the State may have made a mistake, relief will have to be granted to all people who may claim that they were induced to act because of that mistake. I do not think any hon. gentleman in this House would go as far as that. Now let us deal with this case in a very few words. I shall not take the time going over the findings of hon. Mr. Justice Meredith, which are very clear and very concise, and most of which have been read. I shall refer only to this part of the findings:

> There is in my judgment no ground for supposing that any improper influence was used to induce the Treasury Board to give a certificate or to induce the Minister of Finance to recommend the granting of it, and the most that can properly be charged against the Department of Finance or the Treasury Board is an error of judgment.

Hon. Mr. BEIQUE.

An error of judgment! Well, what was that error of judgment? The error of judgment consisted in what? It was in not making a further inquiry when they had the evidence under oath that the formalities required by law had been accomplished. It is true that the Minister of Finance was notified by Mr. McCarthy that there were some irregularities, and what was the nature of the irregularities? Some of the subscribers had been induced to make subscriptions on the faith that other subscriptions had been given. This evidence was given to the Finance Department, and the Finance Minister at once acted on that information, and he properly acted on that information. But not only was he given an affidavit that it was not so, but he was notified by the very party who had given it, that the error had been rectified, that the parties who had complained—who did not desire to remain shareholders in the enterprise—had transferred their shares, so to speak, to other parties—because the second letter from Mr. McCarthy amounts to that. No subscriber to that capital stock had the right to withdraw, unless other parties were ready to take their places; and Mr. McCarthy, in saying that the matter had been settled, added that other subscribers had taken the stock. Well, that rectified entirely the position, and I fail to see how it was the duty of the minister to go any further. But we have more than that; we have in the report of Mr. Justice Meredith the statement that the notes which had been given by the subscribers were paid. Most of the notes, he says, were paid, and that is not the cause of the loss at all. In rising I asked the question how long this bank had been in operation, and was told four years. Well, surely it was not that certificate that was the cause of the loss of the deposits.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. BEIQUE—And if it were notorious in Toronto, and it is claimed to be, that this man Travers was a man unworthy of confidence, surely these parties who have entrusted their deposits or their savings to a man of that kind are the people to blame; surely they would be the parties who committed the greatest negligence, the greatest error of judgment? Mr. Justice Meredith says in express terms that, the loss is not due to the granting of a certificate but is due to the bank's bad administration. He says the certificate was not the cause of the loss, but it was the bad management during a term of some three or four years. Unless we are ready to adopt this Bill as a prin-

ciple, and come to the rescue of hundreds of people in the future, of banks or insurance companies or other companies because of claimed irregularities of this kind, then we should not entertain this Bill.

Hon. Mr. DANDURAND—The claim which is before this Chamber is based upon two arguments, not made by the same members of the Chamber, but held all the same as sufficient reasons for supporting the Bill. One is the sympathy which a certain number have for the depositors who have lost their savings in that institution. If we should be swayed by this sentiment, I suppose this Chamber would be unanimous in favour of recouping the depositors. If we could be swayed by that sentiment, I see no reason why all the losers in bank failures in the past should not be comprised in this measure. It will be argued that this institution had just started on its career but as the hon. gentleman from De Salaberry has said, it stood on its legs for four years. But my sympathy is as great and as justifiable for the depositors who have lost money in the failure of some old institution that, under the eye of the Department of Finance, has it doors open for a quarter of a century, and which has developed and covered the country with dozens of branches. I wonder what difference there is between the depositor who goes to an old established bank and deposits his savings, and loses them or the depositor who goes to a young bank which has just opened its doors and loses them in that institution. Our sympathy can go faster towards the depositor who is drawn to an old established institution than to one who risks his money in a new concern. It has been said that nine-tenths of the depositors have such confidence in a chartered bank which has obtained a certificate—its right to live—from the federal Government, that they blindly enter its portals and deposit their money there without investigation. But this argument covers as well as the depositor who goes to an old institution, which has been doing business since he was born, which has apparently prospered and paid dividends, and this is the case to my own knowledge in three or four failures of banks taking place during the last three or four years. If this argument, this sympathy, which should lead us to come to the rescue of the unfortunate depositor, is a good argument, then let us do the fair and right thing by all, and treat all the losers equally, and declare that this Parliament will vote a measure to reimburse all the depositors who have lost money in the past. I do not suppose there would be a majority of the members of this Chamber in favour of that principle. There will be a certain number of senators who will feel inclined to vote in favour of this measure, because of the moral responsibility assumed by the Government of this country in issuing a charter when there were, at the initial stage, irregularities committed. What were those irregularities? I judge from the reading of the evidence and the report of the commissioner that the $500,000 was not actually subscribed, when the shareholders organized, but the commissioner says that when they did meet the $500,000 had been subscribed. The $250,000 had not been paid in cash by the shareholders it is true, and this is an irregularity which should have justified the Treasury Board in refusing the charter, but the Treasury Board was not made aware of this irregularity and granted the charter on the affidavit and on the reports of the Deputy Minister of Finance, who said everything was regular. Now there was an irregularity. I know that similar irregularities have occured in the organization of other banks, but how long will this irregularity at the inception of a bank, vitiate its organization to the extent justifying the depositors in asking for relief. If that irregularity in the course of years had been cured, has been covered or has been redressed, if those notes given by the shareholders had been taken up, and the bank had gone on its course, would the Government after a certain number of years be still responsible for that initial irregularity? I put the question to my hon. colleagues. Then the next question will be, how many years will have to elapse in order to cover the responsibility of the Government and wipe out that moral responsibility? In this case the Government says the bank lasted four years. The irregularity had been cured; the notes had been taken up; and yet it is argued that the fact that notes were given by the shareholder carries a moral responsibility which justifies the Government in paying those depositors their losses. If the bank had gone on its way for twice four years, or three times four years, would that moral responsibility still exist? I put the question to my hon. friend. The sole responsibility of this Government is in the fact that it finds such deposit was the product of the discount of notes. How long will that moral responsibility last? It appears by

the report of the commissioner that the failure of the bank was not because of this discount of notes; the cause was in the mismanagement and the dishonesty of the manager. When I look at the state of things disclosed by the commissioner, I say there is no moral responsibility on the part of the Government. It is not because this irregularity appeared at the inception, that the bank closed its doors four years later. I know of two cases of banks which have closed their doors fifteen or twenty years after they were organized, where you will find that at the inception there was a giving of notes by the shareholders. Will you say that this irregularity, which was cured ten times over when the bank went on its way prosperously, but when it fell down twenty or twenty-five or thirty years later, would this fact justify this Parliament in granting relief to these depositors? For this reason, I say that this Bill should be rejected, but as the hon. gentleman from De Salaberry said, there are more important reasons why this Bill should be rejected, once the question of moral responsibility is disposed of. What has been the policy of Parliament since the Bank Act has been placed on the statute-book, if not to take all kinds of caution to prevent the public from thinking that the Government was responsible for the commercial administration of the banks? The Bank Act surrounds those institutions with a certain number of safeguards in the interest of the public, but the Government has always taken very good care, and Parliament has always taken very good care, not to be involved in the guaranteeing of the solvency of banks, and to let them go on their way, administrating their bank through a board of directors, under certain safeguards, monthly and annual reports being exacted from them. We, not later than last session, revised the Bank Act. Considerable discussion was had in the press and throughout this country in favour of this inspection, although it was refused by all the Finance Ministers to whom the demand was made. Greater safeguards have been brought about in the strengthening of the audit of the bank, but the Government has taken very good care not to have the bank inspected by its auditors in order that the Government should not be held responsible for that inspection. I really believe that the action of the Government in introducing this Bill is the first serious assault made upon the Bank Act; it is the thin edge of the wedge introduced which will tend to impose on the Government the responsibility for the administration of those banks. There is no question that the precedent being laid down to-day will be used, perhaps not ten years, but at all events the very next session following the failure of a bank, and you will see all the depositors in the other banks, who have been deprived of their money, organize to have their deposits paid, and those depositors will be paid because of this precedent in the statute-book. I shall live long enough after this Bill passes to see the losses in the other banks paid by the Government, with the sanction of Parliament. This is as sure as the fact that the sun shall rise again, that the precedent being established, all the other depositors will come and the delay which we have now fixed as being a sufficiently short one to justified depositors in knocking at our doors will be extended. Four years elapsed after the bank opened its doors, and failed, other banks will be here to show there was an initial irregularity some ten or twenty years before, when the bank was founded. and for the same reason will ask reimbursement, and Parliament will grant it. We who are sitting in this Chamber are not the masters of the purse of this country. We cannot initiate money legislation, but the members of Parliament, who will be surrounded by an army of depositors will hear those voices and will stand on the precedent which will have been created, and those people will be reimbursed. If that is to be the result, why not be honest with ourselves and be logical? Why does the Government not withdraw this Bill, or in proposing the second reading or third reading declare that henceforth the bank deposits will be guaranteed? It will be the proper thing to do, because if the Government ever takes that step, it will surround the guarantee of deposits with such safeguards that will protect the public in general. Here it is done piecemeal, without any safeguard. It is a declaration of hope to the bankers, that whatever happens their institution, their victims can always obtain relief by coming here. Why not study seriously the very big problem of the guarantee of the deposit, and bring down a measure which would accept the consequences of that guarantee, and make important legislation which would protect the banking institution and the public for the future, because if the Government decides to

recognize the guarantee of deposits, it will have to organize another kind of machinery than that which deals with our banking institutions. Perhaps it will decide to establish a National bank in Canada, or vote a Government inspection of banks. I close my remarks with this affirmation, that the voting of this money on the flimsy pretext of a moral responsibility, is marking the day when the question of deposit guarantees will be raised and will have to be settled.

Hon. Mr. DOMVILLE—I do not take any stock in the long discussion over this matter; I would rather crystalize it, and boil it down to something definite. My hon. friend calls attention to the need of relief for the Farmers Bank depositors. That means that the Banking Act is lame. With all the profits that banks are making they could set aside a certain amount on an actuarial calculation, and make good in twenty-five or thirty years all the deposits so much a year out of their profits could be set aside for this guarantee fund. We must all bow down to the eminent bankers. The banks get the people's money, and they put it in circulation, but it would not be in circulation long if there was a run on the bank. I have not heard all this debate, but I know something about the operation of the Banking Act. The Bank Act says that a bank shall have a charter and be organized. This means that capital is to be got from some source, to be loaned to the public, and to enable the bank to do business. A lot of large banks say: 'We will oppose banks being organized in this country; we think that all the small banks should be shut out. We take our money to Mexico, or wherever it may be, and invest it there, but no smaller institutions shall exist. I have always maintained that the Scotch banking system is the best. In various villages they have responsible people and they do business everywhere and the country gets the benefit of it. But it is not so to-day. Look at the city of St. John. They have a boom there; they are trying to get money in, to lend somewhere else. In their dire necessity they find that they have lent out all the money they have to develop the country—I do not say they are wrong in doing it—but they cannot get the money back. There is no use in multiplying instances, but let us come down to the Banking Act, which says that any number of men can apply for a charter. Now, say that the people of Paris wanted a charter, and they put in an application and submit certain names. They say: 'Give us a charter under this Act and we will find the money'. That is what the law is for—to enable banks to be started under certain conditions. Two men could put up the capital necessary to obtain a charter, and comply with the Act. The section of the Act says that $500,000 of stock shall be subscribed, and not less than $250,000 paid in. In the case of the Farmers Bank there was money raised on notes. How else do people raise money? Where does the money come from? People have to finance, and get the money on their own notes; it has just been stated that those notes have been paid afterwards. The majority of the makers of these notes were most respectable. Whose duty it is to say how that money shall be raised, so long as the people applying for a charter comply with the Banking Act, and raise the required amount? They have to put in five provisional directors, and so soon as that money is paid into the treasury, it is beyond the duty of the Finance Minister to go any further than to say: 'The money is there, and I am bound under section 15 to give you a certificate that you may go ahead.' Is he supposed to find out beforehand who the subscribers are, or to say whether they are men of straw, or how they have raised the money. He had nothing to do with that. I might go in with a couple of gentlemen and raise the money, pay it into the treasury, and they are absolutely bound then to give us a certificate, absolutely bound. They, have no judgment at all; they must get a certificate, and within a year, if they come up with a subscription of $500,000 stock, and cash to the amount of $250,000. The certificate cannot be refused. I cannot see how the Finance Minister of that day was to blame. We are told that a lawyer wrote him a letter; anybody can write letters. We are told that a Bankers' Association wrote a letter; the bankers do not want any more banks in the country if they can help it. Where does the money in the banks come from? The hard earned money of the people is deposited in the banks, and the depositors of the bank control it. The depositors may or may not get it back. The question before us today is not the issuing of the certificate, but the management of the bank after the certificate is issued. It was not the business of the Finance Minister to find out how the money which the promoters of this bank

held was obtained. It was for the law courts to determine afterwards whether the managers of the bank were guilty of fraud, and if found guilty, then they should be punished. The poor people who lost their money through the failure of the Farmers Bank were, many of them, widows and orphans whose livelihood was involved; there were many poor men who had saved up money from year to year and deposited their savings in the Farmers Bank only to find that it had vanished. I cannot see any difference between those poor people, and a great railway of Canada which to-day is bankrupt, which got fifteen million dollars last year and is getting forty-five million dollars this year, without any guarantee where the matter will stop. They must be protected, although the men who control the road can live in affluence. There is every consideration for them, but there is none for these poor people whose small deposits have been lost through the failure of this bank. We are establishing a bad principle now I admit; we are establishing a principle, when this Bill becomes law, that if institutions fail we are going to pull them out for the credit of Canada. England is watching us, we are told, and taking reckoning of our honesty of purpose. I am not prepared to say all that I should like to say, but while we are keeping one great concern to the extent of many millions, these poor people should be recouped of their losses. We can prevent such things in the future, by amending the Bank Act, and tying up these banks, so that while the directors and shareholders are making money, they are providing every year some protection for the depositor. This is as much a charity as giving money for the loss of a steamboat or loss by fire, or any other calamity. It is no use of picturing dismal times ahead; that future may be avoided by proper legislation. But we must consider, while we are so particular as to the credit of Canada (which will be gone to-morrow if this railway incubus, this railway octupus is not helped out) that these poor people shall be recouped for the money they have lost. They put their money in the bank believing that the men who managed it were sound, and they lost their hard-earned money. Now that is the story. What have we to do with the principle of this? I admit the principle is bad; there is no question as to this. My friend from De Lanaudière laughs; it is all right; there were two Quebec bankrupts, and you say they should get their money back too. So they should, I do not see any reason why they should not; but then, cut it right off there. I admit the fact that there has been a failure in Quebec, and say it is a bad job, but you cannot blame the Minister of Finance, or say that the department was injudicious. See whether this $1,200,000 paid by Canada is not going to reap advantage to those depositors; some $14,000,000 to fight the enemy through the air and under water for the Militia Department; $40,000,000 is asked for to find a fleet for England; $15,000,000 last year, $45,000,000 this year for a railway; hundreds of millions—the whole capital of the country in the hands of a few men. But those poor wretched creatures of the Farmers Bank, you will not even throw a sop to save them from all kinds of calamity. Sophistry does not in any way blind me; sophistry is not going to induce me to change my mind; you may make all the speeches you can in French or English, or whatever it may be —I can only see the demand for justice to the poor man who has suffered, not by any act of his own, but by the act of those in whom he had implicit confidence.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. CLORAN—This afternoon, in listening to the exposition of this Bill by the hon. leader of the Government in this House, I felt inclined to believe what he was saying; I was beginning to doubt the capacity, and, unfortunately, the honesty of our ex-Finance Minister. The argument of the leader of the Government was a very strong and very cogent one. He had all the correspondence under his thumb. He had the report of the commissioner, Sir William Meredith; he had the assistance of a clerk from the Finance Department; and, really, I believed he was making a very strong case against Mr. Fielding. I did not know what to think, during his exposition of the case, his arraignment was so complete. But I soon found that the present Bill is no more or less than a political football, thrown from one side to the other, sometimes many of the members of one side and sometimes many of those on the other side not knowing where they stand, but every one denouncing the Bill as a bad one, a vicious one with a bad principle in it; and still some of them ready to vote for it. When the leader of the Opposition rose and dissected the speech of the hon. leader of the Government, I began to see that there were flaws, that the charges made by the leader of the Government against

the character of the ex-Finance Minister were not altogether well grounded, and that his points were not well taken. The leader of the Opposition, to my mind, clearly and absolutely put the true face on the situation—that this Bill had, and has, a two-fold object; the first is to blacken the character of the late Government, and especially its Finance Minister—that is the first object of the Bill as explained by all the speakers in favour of the Bill, from the leader of the Government down to the humblest member on the Government benches. The next object of the Bill is to fulfil pre-election promises, and there is no doubt about that. We all know the counties wherein this Bill affects the electoral vote. Those are the two objects of the Bill. Under these circumstances I have changed my attitude quite considerably in regard to the Bill, and I must say that the leader of the Opposition in dissecting the arraignment made by the leader of the Government to-day against the past Government and its Finance Minister was complete; in very few words he did so. What I found strange was that, notwithstanding this attempt of the present Government to defame its predecessor and to blacken the character of its Finance Minister, the leader of the Opposition was prepared to let the Bill go through on the ground that it was an administrative measure, and that the Government would be responsible. Well, I do not agree with that theory, and certainly will not follow it in practice. Whether the Bill be a money Bill or administration Bill, or legislative Bill, this House is here to correct errors in every Bill, if there be errors; this House is here to remedy any defect. We are not here to throw a measure out because it comes from the Government; that would be a false position to place us in; but no matter whether the measure comes from the Government or from a private member, that Bill must be subject to the consideration of this House, and if necessary we must remedy it by amendment. But we have been told in many cases, 'This is a money Bill' such as the Naturalization Act, which although not a money Bill was one that we had no alternative except to reject or adopt; that was a declaration made by the leader of the Government three days ago. I told him it was an absurd position to place the House in; and what has happened? To-day he has accepted half a dozen amendments to the same Bill, and still we have not rejected it; we have adopted the Bill. It is a good Bill—with good amendments. I agree with the last speaker that this Bill contains one of the most dangerous principles that can be put into legislation. I have no grudge against the poor depositors at all, but am in sympathy with them as are other members of this House, but we are not here to pass legislation on sympathy; we are here to pass laws on common sense, on sound judgment, and on fair conception of what the best interests of this country demand. I am awfully sorry for the widow and orphan, but I have got to look to the welfare of the generations of the future.

Hon. Mr. DOMVILLE—Is that money going to ruin the country?

Hon. Mr. CLORAN—I shall be with you in a second. I am with you there too. I, therefore, say that the Bill under consideration is not one that should be stopped by Parliament without the most solemn protest, and I join issue with my hon. friend from Mille Isle who says that the Bill should go through for the reason that the depositors, poor ignorant farmers, to the number of 6,840 as given by Senator McHugh, were deluded into putting their savings into this bank because Mr. Fielding granted the certificate. The hon. member from Mille Isle will probably change his vote when I tell him that not one of those 6,840 farmers and labourers put their money in the bank because of a certificate.

Hon. Mr. DAVID—How do you know?

Hon. Mr. CLORAN—Because they are like you and like me. I put my money into a bank because it is a chartered institution by the Parliament of Canada.

Hon. Mr. DOMVILLE—Hear, hear.

Hon. Mr. CLORAN—I never ask whether it is an individual in the Government who grants a certificate; that would not bother me, but when I see a bank I ask if it is chartered by the Parliament of Canada, if it is authorized by statute to do business. There is not one out of the 6,840 depositors who ever questioned the fact as to whether the bank had a certificate or not. What they knew was that the bank was chartered by Act of Parliament and was authorized by statute to do business. Now, will not the senator from Mille Isle change his vote. He ought, because, that is the only reason he gives for voting for it.

Hon. Mr. DAVID—I shall take that into consideration.

Hon. Mr. CLORAN—Well, I took your argument into consideration and I do not find it is very solid. What would you think of a demand made to-night in the British House of Commons by some friend of Earl Grey, who has just lost nearly all his fortune in the Grenfell Bank, which has just become bankrupt this morning—what would the British Parliament think of any member either, of the Government or a private member of the House, standing on the floor of that House and asking the British Exchequer to recoup the depositors of that bank? Why, an order would issue at once, and if they had a good courageous Speaker, the member would be ordered to Bedlam. In regard to this Bill, as soon as it was mentioned some three or four months ago I put a question on two occasions to which I received evasive answers. I asked the leader of the Government if it was a fact that the Prime Minister of the present day endorsed and approved of the principles in the Bill.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. CLORAN—It is the first time the hon. gentleman has given an answer. It has taken us four months to get it. When was he converted? For four months the hon. leader of the Government has been unable to answer the question as to whether the Prime Minister was opposed to the principle of the Bill and if he did not only consent to it in council, in the expectation and in the hope that the Senate would throw it out. I never got an answer to that either.

Hon. Mr. LOUGHEED—That is not the case at all.

Hon. Mr. CLORAN—I am glad to have it at the last hour. Under the circumstances I feel that the Government should have followed its policy of the past three years not to take up this legislation. They refused it the first and second sessions, and now they are bringing it in to implement their election policy. I am sorry that the hon. leader of the House has taken such pains to blacken the character of the ex-Finance Minister. The situation was bad enough, God knows, without tacking the responsibility to Mr. Fielding. I shall state one fact to show that Mr. Fielding was not a party to the establishment of this dishonest institution. When the charter came up for renewal in the Banking and Commerce Committee of the House of Commons Mr. Fielding opposed it. Is that not proof enough that he was not a party to the establishment of a fraudulent institution. In face of that, why did the leader of this House to-day use his best oratorical power to blacken the character of the ex-Finance Minister? I do not like that kind of business and I do not think the Conservative party throughout the Dominion will gain one vote by their action in this matter. Why did they not come forward like men, and say: 'These people have lost their money, and we want to give it back to them.' They are doing it to a vaster extent in the case of people who have been knighted for dishonest administration of public subsidies in land and money in the building of railways. If the King had known Mackenzie and Mann when he knighted them, as we know them now, would they have got their knighting?

Hon. Mr. DERBYSHIRE—Why, certainly.

Hon. Mr. CLORAN—I do not think they would. They have been charged in the Supreme Court of Canada with nameless crimes of finance; they have been compared with the men who wrecked the New Haven and Hartford railway. These are the people who are getting the money of Canada, and who therefore have a great deal of sympathy with the poor depositors who lost their $1,200,000; but as the hon. gentleman from Halifax and others have said, there is a more vital principal at stake; the protection of the public treasury and the public interests, against those who would seek to squander the public money on any pretence whatever.

The members were called in and the Senate divided on the amendment which was adopted on the following vote:

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DOMINION LANDS ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (213), An Act to amend the Dominion Lands Act.

He said: This Bill may be said to be the complement of the Bill which has been advanced a stage to-day, namely the Naturalization Act. It proposes to give to aliens who make a declaration of their intention to take out naturalization papers, all the rights of homesteaders.

The motion was agreed to, and the Bill was read the second time.

NATIONAL TRANSCONTINENTAL RAILWAY ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (224), An Act to amend the National Transcontinental Railway Act.

He said: The object of this Bill is to give authority to the Minister of Railways to take the position now occupied by the commission that is charged with completing the National Transcontinental railway. It is expected before the next session of Parliament that this great public work will have been completed excepting the bridge and the work of the commission will be superceded by the method provided in the Bill.

Hon. Mr. CASGRAIN—It is very strange that it is going to be completed so soon, because the terminal in Quebec of the National Transcontinental railway has not yet been commenced, and it will take five or six years to complete that work. The disappearance of Major Leonard is rather a victory for the Postmaster General. He may not have been a politician, but Major Leonard certainly had some knowledge of engineering. He has been an engineer all his life, and he contended for certain things in the city of Quebec that did not seem to meet the views of political bosses there, and he is therefore to be decapitated because he has done what is right.

Hon. Mr. BOLDUC—Before Major Leonard took the position that he now occupies, the members on the other side of the House had nothing good to say of him. They said he was a great boss that everybody would have to obey, that he had had no experience; but now that Major Leonard is about to retire he is the greatest man available. If another man is appointed in his stead no doubt he will be a bad man at first, but will be a good man when he decides to retire. I do not believe that Hon. Mr. Pelletier had anything to do with the retirement of Major Leonard. I am creditably informed that Major Leonard was retiring for personal reasons, that he has not sufficient time to devote to the great work he is at present directing. However it is impossible to please hon. gentlemen opposite, and it is better to let things go as they are going at present. Mr. Pelletier will see that Quebec gets justice; and we can feel assured that a minister of his intelligence, energy, and ability will realize all that Quebec expected when there was a change of Administration.

Hon. Mr. KERR—This is rather an important announcement that there is to be a change, because when the former change was made it was heralded abroad that the Government had put in charge of the National Transcontinental railway a man who could be depended on, and would see that only the right thing was done. Has that been done or has any difference arisen between him and some member of the Government?

Hon. Mr. BOLDUC—I never heard that mentioned.

Hon. Mr. KERR—I should like to ask the Government what is the occasion of the friction which has brought about the retirement of Major Leonard, because we were told some time ago that he was the right man for the place, and the Government thought very highly of him.

Hon. Mr. LOUGHEED—This is the first intimation I have had that there was any friction of the kind. If my hon. friend can give us any information on the subject it will be interesting.

Hon. Mr. KERR—Why is the change made?

Hon. Mr. LOUGHEED—For the reasons set out in the Bill.

Hon. Mr. KERR—Has it not been stated in the public press that a difference has arisen and that Major Leonard had to go?

Hon. Mr. LOUGHEED—You do not want to take the public press too seriously.

Hon. Mr. KERR—The paper that says that is not to be relied on I suppose—is a publisher of false news—is in the secrets of the Government that will publish false news.

Hon. Mr. LOUGHEED—I suggest that my hon. friend change his newspaper.

Hon. Mr. KERR—I have not been in the habit of reading that paper often. I have a lively recollection however of the ministerial press saying how fortunate the country was in getting Major Leonard—that he was a heaven-born genius and a great boon to the country.

Hon. Mr. BOLDUC—What paper said that?

Hon. Mr. KERR—A good many, and even politicians said that, or words to that effect. I believe he is a good man. This change deserves more than passing comment; for there is an explanation to it. The hon. leader of the Government must know that there is a reason for it, and we are entitled to have a candid statement about it. The country should not be allowed to rest under the delusion that there is some blot or blemish on Major Leonard's work. We should know what the issue is, that is to be decided now by this appointment. Surely the hon. gentleman will favour us with information on this question, or shall we have to interrogate him with written notices.

Hon. Mr. LOUGHEED—I would suggest a commission.

Hon. Mr. KERR—How much of a commission is wanted for the piece of work that is yet to be done? I did not know that it was for the sake of a commission that this change is being made in the management of the road. If so, I should like to know how much that commission would cost; I daresay a good deal by the time the work is all paid for, as carried on, on a different plan. It is really a serious thing for the country that these changes should take place, and the country should be informed as to the nature of it.

The motion was agreed to, and the Bill was read the second time.

Hon. Mr. KERR.

CANADIAN NORTHERN RAILWAY GUARANTEE BILL.

SECOND READING.

The Order of the Day being called:

Second reading of the Bill (214), an Act respecting the Canadian Northern railway system.—Hon. Mr. Lougheed.

Hon. Mr. LOUGHEED—Is my hon. friend prepared to go on with this this evening?

Hon. Mr. BOSTOCK—If the hon. gentleman has some explanation to make today in the House.

Hon. Mr. LOUGHEED—Perhaps I had better proceed with it as far as I can in that regard. I might say that after the amendment proposed by my hon. friend, and seconded by the hon. member from Halifax, was adopted by the House on Saturday last, I had the opportunity of taking up this subject immediately afterwards with the Government; and in considering the specified statements set out in the amendment the Government felt that they had given their very best consideration to all the subjects mentioned in the amendment. Not only did they give their best consideration to the matters enumerated, but they feel that they can felicitate themselves upon having dealt advantageously with most of the subjects mentioned in this amendment. I may say that this matter has been under consideration for a couple of months; the Government has given the closest consideration to the entire subject; they have endeavoured to obtain, and have obtained, from the parties interested the best and highest securities obtainable; they have, in fact—and from a perusal of this Bill that will be easily ascertained—obtained everything that could be secured. The country has reason to congratulate itself on the measure of security which has been obtained to secure the guarantee which is proposed to be given by this Bill. Looking at the first subject mentioned in the amendment and dealing with all the allegations therein contained:

1. (a) That in the form provided for in the said Bill implying as it does partnership on the part of Canada with Sir William Mackenzie and Sir Donald Mann may involve the country morally and otherwise in very large additional expenditure, and will in effect bring about the payment by the Government of the outstanding securities of the Canadian Northern system.

I say with all due deference to hon. gentlemen who may have prepared and who may have accepted this amendment, that it is entirely a misconception as to the effect of the Government exacting from the Canadian Northern railway the amount of stock which has been arranged to be given the Government in consideration of what the Government is now doing. To speak of it as a partnership is equivalent to saying that when any hon. gentleman goes upon the stock market and purchases stock in the Canadian Pacific railway, or any other railway, he thereby becomes a partner. That is not the status of the holder of stock in any organization. He has an interest in that organization to the extent represented by the stock which he may hold, and to say that the Dominion of Canada, when conferring a very great obligation and assistance upon a public utility company, should not exact from that company a consideration for the obligation entered into for the Government is denying a clearly businesslike proposition. This country long ago should have exacted from every public utility company a consideration for whatever obligations the Government of the country may have entered into. There is no reason why this country should have piled up huge obligations and have added to its public debt for the purpose of assisting great corporations and organizations which have made a great success of the concessions which from time to time have been given them by the Government of Canada. If this policy had been laid down years ago and been closely followed out, our public debt to-day would not have been what it is. We would have had assets to represent every dollar of the debt that we have entered into to assist those great organizations, and therefore I say that if there is anything in this contract upon which the Government and country should be congratulated it is that they have become possessors of $40,000,000 of stock in this great organization. Let us look at it in this way: if this company is a success, why should not the Government of Canada participate in all the advantages of being the owner of that stock. Is there any reason why Canada should not recoup itself for every dollar it put into this company if it is possible to do so. Then, in anticipation of this company making a success of its enterprise, which will depend very largely upon the future prosperity of the country, we have the advantage of looking forward to this very substantial block of stock representing par value, but in the event of the company not prospering, then the value of that stock will be impaired, consequently the Government of the country, so far as this stock is concerned, will in a sense march hand in hand with the prosperity or the non-success, as the case may be of this organization. I say again if there is anything upon which the Government has reason to feel that it has protected the country, it is in exacting this consideration which I have been discussing. The second amendment reads as follows:

The nature of the said partnership is aggravated by the fact that the majority of the stock may be made use of, or disposed of to parties hostile to the best interests of the country.

The majority of this stock is owned by promoters of the road, and like all other stock, presumably at some time or another, it will be put upon the public market. I know of nothing which will stand in the way of the stock of any great utility company passing into the hands of strangers, or into the hands of foreigners. Take for instance the stock of the Canadian Pacific railway. The great majority of it, I venture to say, is in the hands of foreigners, and it is idle to say that there should be such a restriction placed upon the stock of any great organization chartered by Parliament, as to prevent its free exchange in the markets of the world. That would be placing a handicap upon it which would surely impair its usefulness and the convenience which it must expect to derive from a free exchange of its securities in the markets of the world. The next paragraph, (c), reads as follows:

The sanction of Parliament of an issue of $125,000,000 of watered stock is immoral in its nature, and is aggravated by the fact that the Government is taking two-fifths thereof, and that the people of this country will ultimately be made to provide interest on the whole capitalization and the carrying charges will be increased accordingly.

The stock of this company is not $125,000,000. It has been reduced to $100,000,000. Provision is made under section 12 of the Bill for the issue of an additional $25,000,000 in exchange for income charge convertible debenture stock.

Hon. Mr. CASGRAIN—Will the hon. gentleman tell us what that is exactly—income charge convertible debenture stock?

Hon. Mr. LOUGHEED—That is a debenture stock that has been placed upon the market, and has been advantageously sold just the same as the bonds or deben-

tures of this company. It is a charge against the income of the company.

Hon. Mr. KERR—To what amount has that stock been issued?

Hon. Mr. LOUGHEED—I understand it has been issued to the full amount.

Hon. Mr. KERR—$25,000,000.

Hon. Mr. LOUGHEED—I understand so. I understand it has been sold very advantageously. I cannot say just at the moment what it has been sold at, but it has closely approached, I understand, what has been realized for the other securities which have been placed upon the market, and one of the terms upon which this security was placed on the market was that it could be exchanged within a given period for the common stock of the company. The issue in the first place of $25,000,000 of common stock, or of so much stock as might be required for the exchange of the income charge convertible debenture stock would be simply exchange of security, and would not be a further obligation or liability of the company. It is not an increase of its common stock. It simply means that if the holders of this debenture stock come in and avail themselves within the specified time of the right which they have to ask for the common stock in exchange they shall have the right to do so. It in no wise adds to the liabilities of the company. Therefore it is an error to say as set out in the amendment that there has been an issue of $125,000,000 of watered stock, and furthermore this stock may never be issued.

Hon. Mr. BOSTOCK—This $25,000,000 of stock was pledged some time ago as against the convertible stock.

Hon. Mr. LOUGHEED—Yes. When it was put on the market, it was one of the terms of the sale of the stock that the holders within a given period might come in and tender their income charge convertible stock in exchange for the common stock of the company.

Hon. Mr. BOSTOCK—And that stock that was pledged was part of the $70,000,000 that Mackenzie and Mann held?

Hon. Mr. LOUGHEED—Yes, there was a certain amount, but that has been cut down to $100,000,000, so that there will be the $100,000,000 plus that amount of stock which may be issued in exchange for the income charge debenture stock, which will simply mean an exchange of security.

Hon. Mr. BEIQUE—The hon. gentleman attempted to give an explanation as to the $25,000,000. Now, what is the explanation as to the $100,000,000.

Hon. Mr. LOUGHEED—That is stock that is issued according to well established practice by every great organization in the country. It is issued for the purpose of either sweetening the bonds that may be put upon the market from time to time, and for the payment of contractors' services, etc. My hon. friend's late Government issued $25,000,000 of stock of the Grand Trunk Pacific and handed it over to the Grand Trunk railway. Is not that watered stock, quite as much as the issued stock of the Canadian Northern railway? Have not the promoters of this road, Mackenzie and Mann contributed as much in services and otherwise to the building up of this system as the Grand Trunk Railway Company has to the building of the Grand Trunk Pacific Company, and yet we give deliberately to the Grand Trunk railway $25,000,000 of paid up stock in the Grand Trunk Pacific Company—precisely an analagous case. Then paragraph (d) of the amendment reads as follows:—

> It does not appear by the said Bill that the additional aid of $45,000,000 will ensure the completion and operation of the Canadian Northern system which is already charged with securities amounting to more than $176,000,000 apart from public aid granted by way of subsidies, land grants, bonds and guaranteed securities exceeding $220,000,000, or in all $396,000,000.

Allow me to say in the first place that the total securities standing against this road are not $396,000,000 but $312,000,000, furthermore as to the inadequacy of the $45,000,000 to complete the uncompleted portions of the road, it may be said with a reasonable degree of confidence that the Government having inquired into this subject through their engineers have been able to satisfy themselves that this amount will complete the road for all the purposes of linking up the different parts of the system and placing the entire system on an earning basis. I would say with all due deference to the hon. gentlemen who have confidently made this allegation as to the inadequacy of the $45,000,000, that they are really not in as good a position to determine this question as the Government who made the examination and who are familiar with and have access to all the data dealing with this particular phase of the subject. We may therefore, I think, assume that the Government who have been charged with making proper inquiries into this sub-

ject would be able to satisfy themselves more satisfactorily on the subject than hon. gentlemen whose main desire is to draw up a resolution that might possibly prove inconvenient to the Government who have assumed this responsibility.

Hon. Mr. KERR—Order, order.

Hon. Mr. LOUGHEED—Of course I am bound to say in addition to that that the $45,000,000 is only part of the fund that will be available for the completion of the road. The fund available for the completion of the road will be $100,000,000, which I already explained, and which I think it is unnecessary for me to again enter upon. There is something like $58,000,000 of unearned and unmarketed securities that will immediately become available for this particular purpose.

Hon. Mr. CASGRAIN—That will make $412,000,000.

Hon. Mr. LOUGHEED—No, the $45,000,000 will be added to the $312,000,000. Those securities are the outstanding securities of the road. As to paragraph (e):

(e) The mortgages and charges to be given to the Government in virtue of said Bill do not constitute a sufficient or reasonable assurance that the Government shall not be called upon to pay the 'guaranteed securities' at maturity.

All I have to say is that the Government have not only taken everything they could get, but they have taken everything that there is, and I think hon. gentlemen should be satisfied with that. What in addition we could take I certainly do not know. We have demanded everything not only in sight, but everything out of sight that was owned by the company and the charges which we have imposed include everything available. Then as to paragraph (f):

(f) The Canadian Northern system has remained to this date a personal undertaking of Sir William Mackenzie and Sir Donald Mann, and no provision is made in said Bill for their personally guaranteeing the 'guaranteed securities.'

Well, it is a misconception to say that it is the personal undertaking of those two gentlemen. In the first place every great undertaking must necessarily be promoted by individuals. This undertaking is no more the undertaking of Mackenzie and Mann that the Canadian Pacific railway at its inception was a personal undertaking of the late Lord Stratchona and Lord Mount-Stephen and one or two other associates who had joined with them.

Hon. Mr. KERR—It was of course; no question about that.

Hon. Mr. LOUGHEED—There must always be a personnel in every organization of this kind, but these gentlemen whose names are mentioned have been operating under an incorporated company and there are doubtless associated with them other individuals just the same as in any other organization which may take charge of a great undertaking like the one under discussion. As to their personally guaranteeing the securities of the Government, allow me to say this, that they have absolutely refused to give any personal obligation, and very naturally. I venture to say that my hon. friend from De Salaberry, who spoke with considerable animation upon this subject, if he had been the adviser of Messrs. Mackenzie and Mann would have most strongly protested against their entering into any personal obligation in a matter of this kind. I venture to say that no business man, I do not care who he is, would pledge his own personal covenant to the completion of an organization so prodigious as that involved in ten thousand miles of railway; and I think it would be unreasonable to expect that any two individuals should be called upon to jeopardize every dollar of their private fortune, whether it is large or small, in an undertaking so precarious as any great, transcontinental transportation system. The personal undertaking of individuals has never been exacted in any of our large public utility corporations by any Government. It was not done so in the case of the Canadian Pacific Railway Company. It was not done so in the case of the Grand Trunk Pacific. It was not done so in the case of the Grand Trunk Railway Company in its relation to the Grand Trunk Pacific; and furthermore the Grand Trunk railway refused to give its undertaking as a company to the Government guarantees of the Grand Trunk Pacific.

Some Hon. GENTLEMEN—Hear, hear.

Hon. Mr. LOUGHEED—And why? I ask why should Mackenzie and Mann any more be called upon to give their personal guarantee to these securities than that the Grand Trunk Railway Company should have been called upon to guarantee the Government securities on the Grand Trunk Pacific?

Hon. Mr. CASGRAIN—The hon. gentleman is forgetting, and if he will read he will see that the Grand Trunk with its $486,000,000 securities did guarantee to become responsible.

Hon. Mr. LOUGHEED—Not the Government securities.

Hon. Mr. KERR—There is this great difference: Mackenzie and Mann are the owners of this road, and in the other case it is a Government owned road.

Hon. Mr. LOUGHEED—Not the Grand Trunk Pacific.

Hon. Mr. KERR—But the Transcontinental is. It is the property of the Grand Trunk Railway Company properly.

Hon. Mr. LOUGHEED—As to the next paragraph (g):—

(g) The said Bill contains no provision preventing the proceeds of the 'guaranteed securities' being applied to the payment of indebtedness of the Canadian Northern system to Sir William Mackenzie and Sir Donald Mann, or to the Mackenzie, Mann Company, Limited, of which they are reputed to be the principal, if not the only members.

I would say to hon. gentlemen with every degree of confidence that no greater safeguards could have surrounded any agreement than surround this agreement in preventing this money from being diverted in any way to any other purpose than that of the construction and completion of this undertaking. Not a dollar of it will be paid to Mackenzie and Mann or to any other individual or organization except that money may be owing on construction account; and if that money is owing on construction account for work that has actually gone into the physical properties of the road, then those accounts will be paid out of the proceeds of the $100,000,000.

Hon. Mr. BOSTOCK—That $21,000,000 will be paid out of that?

Hon. Mr. LOUGHEED—Yes, that $21,000-000 is strictly a construction account and is not to be confused or confounded in any way with the temporary loans of $20,000,000 or current liabilities of $10,000,000. Those two latter, namely, the temporary loan of $20,000,000 and the current liabilities of $10,000,000, will be liquidated out of securities which have been set apart and reserved for that particular purpose.

Hon. Mr CASGRAIN—Out of the $58,000,-000?

Hon. Mr. LOUGHEED—No, not out of the $58,000,000; not a dollar for those two accounts will come out of the $58,000,000. As to the next paragraph (h):—

(h) Under the said Bill the 'guaranteed securities' are not to be taken into account in making up the maximum of the mortgaged securities which may be issued under the trust deeds referred to in subsection 2 of section 4 and section 11 of said Bill.

That is very largely a legal interpretation which has been placed upon the construction of our contract. I might say that the Government entirely disagrees with the conclusion which has been drawn in paragraph (h), and considers that the way in which the securities have been taken is much more satisfactory than any other which might be suggested.

Hon. Mr. BEIQUE—They come in at the tail end.

Hon. Mr. LOUGHEED—No; What I mean to say is this, the mortgages or charges which we take will take priority, and must take priority, over any mortgages or charges which may be hereafter taken.

Hon. Mr. CASGRAIN—Naturally

Hon. Mr. LOUGHEED—But we must allow the company the right to exercise their borrowing power with reference to securities which they already have with relation to the completion of the road. Take for instance, some of those securities which are unmarketed, which have been unsold, they have yet to be issued, and my hon. friend will at once see that the issuing power must be continued in the company. giving them the right to issue those securities for the completion of the road; and immediately the proceeds of those securities go into the road our mortgage is enhanced to that extent.

Hon. Mr. BEIQUE—Do I understand the hon. gentleman to take issue with the statement made in that paragraph that that is the effect of the agreement—that the Government will rank after the maximum amount of the securities authorized?

Hon. Mr. LOUGHEED—I say no securities can be issued prior to these mortgages or charges of which the Government mortgages and charges will not get the advantage. Then the next paragraph (i)

(i) The said Bill contains no provision whereby the 'guaranteed securities' may through subrogation get the benefit of securities held by creditors who may be paid by, or out of the proceeds of such 'guaranteed securities.'

Some hon. gentleman made that an enquiry, and to that we made answer

Hon. Mr. BEIQUE—So that we may have the answer complete, the hon. gentleman might state in a few words what the answer was.

Hon. Mr. LOUGHEED—I really forget what the answer to that was; I cannot recollect it just at the moment. Then to paragraph (j):—

(j) No proper evidence has been given that Sir William Mackenzie or Sir Donald Mann are not directly or indirectly enriching themselves through the building and financing of the Canadian Northern system, or by means of subsidies, land grants or town sites which should have inured to the exclusive benefit of the said system.

I think I made the statement upon the first or the second readings that the Government made the most exhaustive examination by the most experienced accountants in the service of the Government into all the books and documents of the company to which they had the freest access, and that there was not a tittle of evidence in any way of those gentlemen having enriched themselves through the building and construction of this system. There was no evidence of their having obtained a dollar out of its funds but on the contrary there was evidence of their having transferred to the company over 4,000,000 acres of land when the first amalgamation of the original companies took place in the Canadian Northern system. There is evidence which is most conclusive of their giving to this company all the advantages of the accessorial companies. They have never taken a dollar out of the exchequer of the company for their own personal services, or any compensation for the services which they have rendered. They have relied entirely on their interest in stock, and they had expectation of being able to charge up against the company a percentage upon 'Force account,' based entirely upon the amount of money which they as contractors and financial agents had handled for the company.

Hon. Mr. DANDURAND—Upon what basis were those contracts taken by the Mackenzie and Mann Company for the building of the road? I understand that no tenders were caled for

Hon. Mr. LOUGHEED—Yes, tenders were called. I might say the basis was this—that Mackenzie and Mann Company, Limited, were the contractors and financial agents of the road. They received tenders for contracts, and let the contracts, and dealt with the sub-contractors. They likewise performed all the services that financial agents could perform. In fact they have performed all the services involved in the construction and the carrying out of that huge undertaking and to say that they have reserved anything for themeselves is entirely contrary to any facts in evidence, that evidence being based upon their books and the records and documents of the company so far as they are available. And notwithstanding all the expressions of hostile criticism which have been made against these gentlemen from not only the inception of this application for a loan but extending over a period of years, extending over the many years that they have been before the Parliament of Canada and the different provincial governments, yet I have not heard, and I fancy that no hon. gentleman in this Chamber can mention any concrete instance in which it was charged that they have made a direct profit out of the construction of the Canadian Northern railway. A great deal of suspicion has been expressed; random statements have been made that they have built up a colossal fortune out of the construction of this system and their critics have pointed to the many organizations with which they are associated, the many promotions in which they are interested, and have concluded that the basis of their success in their financial transactions in all those other organizations is the Canadian Northern railway and yet there has not been established to the satisfaction of any individual or of any Government in all this discussion a single instance in which those men have taken any money for their personal uses out of this great company. Without saying anything in vindication of Mackenzie and Mann, because I am not here either to defend or apologize for or to vindicate their character, it seems to be a tribute to two promoters who have handled three hundred millions of money and built practically ten thousand miles of railway in one great transportation system, that no evidence has been forthcoming, notwithstanding their hostile critics, that they are taking one dollar out of this enterprise for their own personal uses. There is further evidence that every dollar raised out of the sale of securities, out of the subsidies from different governments, out of the sales of land grants and townsites, out of all allied companies and other interests, that all the proceeds have gone into the building up of this system. If hon. gentlemen who make statements to the contrary are in possession of evidence that they have participated for their personal uses in the funds that have been raised in the construction of this system, I shall be very glad to get that evidence for submission to the Government.

Paragraph (k) reads as follows:

(k) Valuable lands which may be used for town sites or other purposes and which have been given to land acquired by the Canadian Northern system and important enterprises connected with the said system are not included in the 'guaranteed securities.'

This is not accurate. We are taking a charge upon all the land, all the townsites, all the properties which come within the language of this paragraph from the company. Under paragraph (b) of section 4 of the Bill, hon. gentlemen may see the nature of the fixed and specific charge which we have upon the equity of redemption of Mackenzie and Mann Company, Limited, in ten million dollars capital stock, and ten million debenture stock in the Canadian Northern railway town property, stock of the Canadian Northern Railway Company, Limited, and so on; so that every acre of land of this company and every townsite which they possess and every franchise and concession which may be attached to the main system or the constituent roads or allied companies comes within the charges which the Government have taken for the security of this guarantee. In conclusion the amendment reads:

And this House desires to ascertain whether the Government would not be disposed to facilitate the aid being given on conditions which would not be open to the above mentioned objections.

I have not only endeavored to explain, but I thing I have fully explained, that the Government is not open to the suggestion which is here made, that they have been remiss in securing for the country every or any security that might be obtainable to insure the payment of the obligation into which the Government may have entered. The Government has been more solicitous than my hon. friends for the purpose of securing to the country every interest which might possibly be of value and which might have to be realized upon for the purpose of protecting the guarantee which the Government is about to enter into. With these explanations I hope my hon. friends will be satisfied. I am sorry if I have not been able to convince hon. gentlemen that the Government has entered into a most advantageous agreement with this system. As I said before, they propose entering into a guarantee amounting to $45,000,000 which will represent securities to be issued by the Canadian Northern Railway system. They will have the advantage of the expenditure of the proceeds of the $58,000,000 yet unmarketed and unearned; they will have the satisfaction of knowing that by entering into this arrangement, it will permit of $100,000-000 being realized upon which will go into the completion of the entire system. They will have the advantage of knowing that that system will be placed upon an earning basis, and that the guarantees that have been entered into hitherto by the federal Government and provincial governments of Canada, as well as the subsidies that have been paid will have a return in the immense advantage which must necessarily flow to the Dominion of Canada from the completion of this system. I therefore, with the greatest confidence, feel that I am justified in asking the House for the second reading of this Bill.

Hon. Mr. BOSTOCK moved that the debate be adjourned until to-morrow.

The motion was agreed to.

POST OFFICE ACT AMENDMENT BILL.

A MESSAGE FROM THE COMMONS.

A message was received from the House of Commons to return Bill (147), An Act to amend the Post Office Act', with the following amendment:

Hon. Mr. LOUGHEED moved:

That the Senate doth not insist upon their first amendment to the said Bill but that the following amendment be substituted therefor:

Page 1, line 8.—Leave out paragraph (e) and substitute the following:

(e) establish, with the approval of the Treasury Board and after such hearing of any persons interested as the Treasury Board may direct, the rates of postage on all mailable matter, not being letters, and prescribe the terms and conditions on which all mailable matter shall, in each case or class of cases, be permitted to pass by post; and except in the case of letters, authorize the opening thereof for the purpose of ascertaining whether such conditions have been complied with; but the maximum rate which the Postmaster General may so establish as the postage to be paid on newspapers and periodicals defined by section 53 of this Act shall in no case exceed one and one-half cents for each pound weight or fraction of a pound weight; and the rates may be graded according to distances and zones of transportation. The rates so established for such periodicals and newspapers shall be submitted to Parliament at the ensuing session for revision or ratification.

He said: This amendment has been agreed upon between the Post Office authorities, the Prime Minister, and such of the press representatives who were present at the time it was first discussed. I do not

mean to say that the press is thoroughly satisfied with it, although they intimated at the time this was agreed upon that they would be. It gives them more advantages than the amendment made by the Senate and which we agreed upon before the Committee on Banking and Commerce. This, I may say, will be accepted by the Commons.

Hon. Mr. KERR—I think it would be well to let this amendment stand until to-morrow.

Hon. Sir MACKENZIE BOWELL—There is a greater protection under the amendment made by the Commons than the resolution we sent to them for their acceptance. Although it has not gone as far as I should like to see it go, if the press object they can go to the Treasury Board and state their objection to whatever arrangement may be made, and even if the Treasury Board rejects them, it comes to Parliament for ratification.

The motion was allowed to stand until to-morrow.

BILL INTRODUCED.

Bill (226), An Act to authorize a guarantee of bonds to the Grand Trunk Pacific Railway Company.—Hon. Mr. Lougheed.

The Senate adjourned until to-morrow at eleven a.m.

THE SENATE.

Tuesday, June 9, 1914.

The Speaker took the Chair at 11 o'clock.

Prayers and routine proceedings.

CENTRAL RAILWAY RETURNS.

MOTION.

Hon. Mr. DOMVILLE moved:

That an order of the Senate do issue of the last annual return made to the Railway Department as required by law, by the Central Railway Company of Canada.

The motion was agreed to.

MAIL SERVICE AT LIVERPOOL POST OFFICE.

MOTION.

Hon. Mr. FARRELL moved:

That an order of the Senate do issue for copies of all correspondence between F. S. Balcom and others, and the Post Office Department, respecting the mail service between Liverpool post office and the railway station at Liverpool, which was given to Mr. Balcom after he had offered to reduce his tender from $375 to $275 per annum.

The motion was agreed to.

THE LATE SENATOR COFFEY.

Hon. Mr. LOUGHEED—Before the orders of the day are proceeded with, it is my sad duty to make reference to the death of our late colleague, Senator Coffey, who passed away after an illness of some weeks at his late residence in the city of London. Senator Coffey had been a member of this Chamber for some eleven years or more, and during all that time enjoyed the respect and esteem of every one of his colleagues to an exceptional degree.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. LOUGHEED—He was a man of great integrity of character and had the very highest conception, not only of his duties as member of this Chamber, but of his obligations as a citizen. He was a man of strong and fixed opinions upon all great moral questions and problems, particularly those which had to do with the upright living of the community. He had been a journalist of many years' standing, and particularly represented in that capacity, the views and the opinions of the great religious body to which he belonged, the Roman Catholic Church in Canada. His last public utterance in this Chamber was in connection with the Catholic Mutual Benefit Association, of which he was a prominent member, in which he took a deep interest, and in whose legislation at that time he was deeply interested. A few days thereafter he was taken ill, returned to his home, and we were thus deprived of the services which he had rendered this body so acceptably for many years. He was a man most courteous and gentle in his demeanour, and in his relations to his fellowmen, and in the very highest sense of the term was a high principled gentleman.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. LOUGHEED—We extend to his sorrowing family our deepest sympathy in the loss they have sustained and in the bereavement which will press heavily upon them through the death of one to whom not only his family but all those who knew him were deeply attached.

Hon. Mr. BOSTOCK—I desire to add a few words to the eloquent and kindly remarks that have been made by the Hon. leader of the Government in reference to the death of our colleague, Hon. Senator

Coffey. All who knew Senator Coffey recognized in him an upright, honourable gentleman, who realized his duties to his country and to the community in which he lived. He came here as a child with his parents from Ireland, and most of his life has been spent in and around the city of London, where, I presume, he was better known than in any other part of this country. There he was very much respected by all who knew him, and was looked upon as an energetic and practical man of business. He was responsible for placing before this country a paper called the Catholic Record, which has established for itself a very strong position in the country. To his colleagues in the Senate he was always very much attached, he was looked upon with great respect, and as a man who took a practical interest and did good and energetic work in this Chamber. As my hon. friend has mentioned, he took a very keen interest in the Catholic Mutual Benefit Association, about which he spoke very eloquently a short time before he went home, not to return to us again. We all, on this side of the House, extend to his wife and family in their bereavement our most sincere sympathy, and regret that we have lost in Senator Coffey a colleague whom we could ill spare.

NATIONALITY AND ALIENS ACT.

THIRD READING.

The Order of the Day being called, the House resumed in Committee of the Whole on Bill 173, "An Act respecting British nationality, naturalization and aliens."—Hon. Mr. Lougheed.

(In the Committee.)

Hon. Mr. LOUGHEED—Before this Bill is read the third time, I beg to move, seconded by Sir Mackenzie Bowell, that this Bill be not now read the third time, but that it be amended as follows:

That section 20 be stricken out and the following substituted therefor:

The application shall be delivered at the office of the clerk or other proper officers of the court during office hours, and such application shall be posted by such clerk or other proper officer in a conspicuous place in his office. The applicant shall also post up a copy of such application in a conspicuous place in the post office nearest to his place of residence. Both of such notices shall be posted up at least three months before the application is heard by the court.

This is the amendment suggested by my hon. friend from Killarney (Hon. Mr. Young), and it has been accepted in lieu of the section which I propose to strike out.

Hon. Mr. BOYER—Will that be a fixed three months, or has it to run continuously for three months?

Hon. Mr. LOUGHEED—It is three months before the application is made. This is the amendment arranged between my hon. friend from Killarney and Mr. Gisborne, parliamentary counsel, who drafted the Bill, and to whom it was submitted and afterwards accepted by the Government.

Hon. Mr. POWER—It covers the ground.

Hon. Mr. WATSON—That amendment might be read, that if posted three months before, that ended the posting; it should be maintained continuously.

Hon. Mr. CLORAN—Before and during three months.

Hon. Mr. WATSON—During three months.

Hon. Mr. POWER—Posted and kept posted.

Hon. Mr. LOUGHEED—It would be impossible, it seems to me, to produce evidence that it remained there continuously three months. Somebody might intervene and tear the notice down, but you place upon the alien the obligation of placing this notice in that particular place, a conspicuous place, three months before he proceeds with his application. You could scarcely expect him to maintain the notice there during all that time.

Hon. Mr. YOUNG—It would be very unreasonable to make the applicant responsible, and go every day to the post office to see that the notice was up; but the fact that it requires three months before he can come up to the court for a hearing covers the ground, and I am satisfied with it; and I have shown it to others who feel satisfied that the object has been attained, and that the court will not hear the application for three months; that is practically what we want.

Hon. Mr. BOYER—I am satisfied that we are trying to guard against undesirables, but supposing a gentleman conforms to the law, that this notice is posted three months before he applies, and the next day he walks quietly into the post office and tears down the notice. Nobody is there to put it back, and at the end of three months he claims his citizenship,

and where is your notice. What is it good for?

Hon. Mr. ROSS (Middleton)—There is another notice posted in the court, in the office of the clerk of the court, and that is fairly safe against being torn down. The other was merely supplementary.

The motion was agreed to and the Bill was then read a third time, and passed.

CANADIAN NORTHERN GUARANTEE BILL.

The Order of the Day being called:

Second reading Bill (214) An Act respecting the Canadian Northern Railway system.

Hon. Mr. CASGRAIN—I had no intention at first of taking part in this debate, but when I examined the documents furnished to us by the Government, and read the Bill carefully, I realized the enormous importance of this measure. To my mind it is of more moment to this country than any other measure that has ever been brought before us. And the hon. member from De Salaberry (Hon. Mr. Beique) said some time ago, this involves an expenditure, or a guarantee on the part of the Government of some $400,000,000. I thought, therefore, that it would be well to put before the House the reasons why some of us do not approve of this Bill. Before entering upon the discussion I desire to say that I approach the subject with a great deal of diffidence. I have some regard for my own reputation in speaking on the problem of transportation in Canada. I am quite aware of the fact that every word pronounced in this Chamber is recorded; and I should not like to make any statement here which might be challenged. It has been my good fortune in the many years that I have been a member of this House to make speeches on similar subjects. Some of them were published in full in the press, most of them were printed in book form, and I am proud to say to-day that although I challenged contradiction on many points, no expert, that I am aware of, has ever taken exception to anything I have said. Therefore hon. gentlemen will appreciate the very great difficulty under which I labour in this instance because as the hon. leader of the Government told us in his speech—and I think it was a very serious statement for him to make—the Government are in a better position than members of the Opposition (not here but elsewhere) to judge of this case, because they have had access to information from engineers and others which had not been given to members who were not supporters of the Government.

The document we have to go by is simply this small blue book, and much or all the information would be available without this book at all. In my humble opinion this book is of very little value indeed. The hon. gentleman who leads this House, in commenting last night on some of the reasons that have been put forward by this side of the House for not accepting the proposition put forward in this Bill, was good enough to say that it was a very precarious affair. Knowing him as I do, as a good sharp, shrewd, business man, a man with large interests in this country, when he said it was a precarious affair, I understood perfectly well that he would not risk one dollar of his own money in it, although, joyfully, he was willing to put the $45,000,000 guarantee, on behalf of the country. When we are talking of guarantee I hope to be able to show this Honourable House there is no guarantee about it at all; it is a pure and simple gift. Then the hon. gentleman told us that all the books of the company had been carefully examined by officials of this Government, I shall be able to show by the very words of the officials that they did no such thing, that they were not, in one case, within thousands of miles of where the books were, in the other case hundreds of miles from where the books were kept, and they never even saw the covers of the books. I shall be able to prove that over their own signatures before I am through. The hon. gentleman said that everything in sight had been pledged. I do not know about the possessions of the Canadian Northern Railway system throughout this vast country, but I know this much, that right where I live, in the city of Montreal, perhaps one of their most valuable assets stands—the property we call the model city. I know that property very well, and I happened to be president of a company which is a neighbour of it, and parallel to it for one mile in length. I refer to the Burnam Realty Co. I have been president of that company for some time, and I know the great value of the land. I am not advertising this company before this House, for the very good reason that all the lots have been sold long ago, and the company

has paid, up to now, about 180 p. c. dividends. I only want to draw attention to that most valuable C.N.R. property, a part of which has been sold to James E. Wilder of Montreal for the enormous sum of three and half millions. Of course they will say in that instance that the property does not now belong to the C.N.R. If that does not belong to the C.N.R. I do not know of anything that really does belong to the C.N.R., because that property, close to my own property, was laid out by the C.N.R. engineers and surveyors. It was offered for sale. The land agents of the C.N.R. conducted the sale, and they took in the money from the sale. The office is in the office of the C.N.R. in Montreal, on St. James street. Anybody passing by St. James street will see the plan of the model city right in where they sell the tickets. Yet the C.N.R. come now and say 'that does not belong to us.' Whilst I am on that subject let me say this, that is one of the reasons why we should be very careful in voting for this Bill. We have no positive assurance, there is absolutely nothing to tell us that all the assets have been turned in. You will find the whole of the railroad has not been turned in. In this little book we have what little information the Government have given us. There are two parts of this little book; the first part purports to come from the Canadian Northern Railway system of Messrs. Mackenzie and Mann, and the first thing you see is a small letter of about nine lines asking for not much, merely $45,000,000, and saying that they only really want $42,000,000, but they will take $45,000,000, because there will be some discount. That is the first thing. Then there is another letter at the foot of the page, of about fifteen lines at the very outside, saying that they are willing to transfer, give and consign all the freight on their lines for points on the Intercolonial railway to the Intercolonial railway. I would like to know how they could do otherwise than give it to the Intercolonial railway, because it is going there anyway. Still that is one concession. They will actually give the Government railway the benefit of the freight that is going to the Government line. We all know that this same arrangement, or an arrangement of that kind, was made with the Grand Trunk Pacific Company at the time we passed the Grand Trunk Pacific agreement. That was one of the conditions, that the freight that would originate would be routed as much as possible by the Intercolonial railway. It does not prevent large quantities of freight going to Portland; it is going there yet. The second page of this book professes to give the information from the Canadian Northern railway. Just listen to what information they give. The first one is: 'The charters of the various companies constituting the Canadian Northern Railway system, with dates and appropriate references.' Now the Law Clerk of the Senate could have given us a list of the charters and all that, in very little time. Still, that is one of the great features. The next item is: the length of each line, and the provinces within which it is situated, and its termini. Any body can find that information in the annual reports. The third item is: 'Its present or proposed connection with the whole system.' The plans on the table will give you all that. Then there is the capitalization showing both authorized and issued capital. But what do we have the annual report for? The last annual report gives that information. The next item: 'Its cost up to the present time.' Again, the last annual report will give that, yet this is the great information the Government was going to get, to put before the House; this is the information which any body can have by looking at the annual report. There is one item which may be an estimate. Item No. 6 is: 'The amount, if any, required to complete.' Of course that is an estimate, and that can be taken with a grain of salt. We know how estimates go in making railways. People say it will cost $25,000 or $30,000 a mile, and when the bill comes in the cost is twice that amount. Then there is item No. 7: 'The aid received therefor in (a) Cash or (b) lands, from (a) the federal Government (b) any provincial Government or Governments, (c) any municipality.' That is also in the annual reports. Then comes the next item: 'Aid received therefor in guarantee of securities by (a) the federal Government or (b) any provincial Government.'

That is also in the annual reports. Then the 9th item is: 'The fixed charges thereon with particulars of the date when (a) the principal and (b) the interest is due.' That is also in the annual report. This is the wonderful information as to which in another place the young, brilliant, and eloquent Solicitor General said, 'We have lots of information.' The next item is the present earnings both (a) gross and (b) net. That

too is in the annual report. What is the annual report for, if not to show that. The last item, the gem of the lot, is 'The estimated earnings both (a) gross and (b) nett, during the years 1914-15-16-17 and 18, respectively.' That is for the next five years. That is the only thing you will not find in the annual report. They have apparently a prophet on the Canadian Northern system; they have some gentleman who undertakes to say—and I shall come to that later—how much this road will earn in future; and I may say at once that he pretends that it will earn about 100 per cent more than it is earning now. On the next page you find the recitation of the various lines, and you have the grand total of lines in operation, of 7,236 miles. Those are the lines in operation, and you have tracks laid, but not in operation, of some 1,542 miles. You have grade completed, but no track laid, of 850 miles. I want to draw attention to the position of the province of Quebec. The province of Quebec, in addition to the $45,000,000, besides assuming its share of the three hundred and some odd million of guarantees that are already out—and as we assume the last mortgage, naturally we must make good all the mortgages that have priority over us, if we do not want to lose our $45,000,000. The province of Quebec under this arrangement will contribute about $15,000,000, and what does it get? According to the statement of the Canadian Northern Railway system it does not get a single mile of track either in operation or in process of construction. The province of Quebec will pay $15,000,000 for the benefit of whom? For the benefit of those who have been bold enough to guarantee bonds, when they wanted railways built, but now wish to evade their obligation. There is a rush, especially from British Columbia, where Sir Richard McBride readily guaranteed $23,000,000, an immense sum for a province with such a small population. However, it enabled him to carry the elections; not a Liberal was left. I do not want to assert that a portion of that $23,000,000 went to help his party in the election. Now that the shoe begins to pinch, now that the province may be called upon to pay the piper, he does want to call the tune but not to pay the piper. He comes to the Government of Canada and says 'We will be in a bad fix if we are called upon to pay what we endorsed for.' I ask you, Mr. Speaker, if you endorsed for an insolvent who would be to blame but yourself? The province of Quebec has a small railway system compared with the other provinces. The great province of Ontario has 250 per cent more railway mileage than we have. Ontario gets no less than 1,500 miles of new road, which will enhance the prosperity of that province, but Quebec gets nothing under this arrangement. The province of Quebec has always refused to guarantee railway bonds. Whether Conservatives or Liberals were in power they have declined to assume any such responsibility. The Government of Mr. Mercier was approached, so was the Parent Government and the Gouin Government to guarantee railway bonds. They always refused. Now if they are going to pay the piper for other provinces, they were very unwise to refuse to guarantee bonds of railway enterprises in the province of Quebec. They might just as well have had the benefit, and Quebec would not be as it is to-day the lowest province of Canada, in its railway mileage in proportion to population. We have less miles of railway per head than any other province in the country. To show the discrepancy that exists between the report made by the Canadian Northern Railway system and the report made by the Government officials, I shall call attention to one electric road which pays its way and is not mentioned in one of the reports. I refer to the Niagara, St. Catharines and Toronto railway, a road 75 miles in length. I find a difference between the mileage stated by this Canadian Northern Railway system and the mileage stated by the Government officials. The former gives the mileage as 7,236 miles; the Government officials state the mileage in operation is 7,161 miles. I saw a difference, and I wondered what was missing. Now, those Government officials who are supposed to have done this work so carefully, who have gone into this so thoroughly, have left out a whole railroad, and I defy the leader of the Government to deny that. They left out the entire Niagara, St. Catharines and Toronto railway. I took the difference between the two mileages to find out where that railway had gone, I subtracted one from the other, and found a difference of 75 miles, so I hunted up a railway which had 75 miles, and it fitted in. This Government owes me a debt of gratitude for finding a whole railway which their well-paid officials working for months had absolutely omitted. Now we come to the Canadian Northern Railway system on the prairies, where the Can-

adian Northern railway is all right, as far as I know. That is the only part of the system which pays, usually 33 per cent of the gross earnings. That is to say, if they do $3 worth of business on the prairies, it takes $2 for the operation, and there is $1 left to pay the interest on the bonds or in dividends. There is no exception to be taken to the Canadian Northern railway on the prairies, and I might say just now that it was not necessary at all to try and relieve the Government of the prairie provinces from their obligations. Saskatchewan and Alberta, more particularly the former, were perfectly content to be left entirely out of this bargain. Whilst on this subject let me say that those roads were provincial roads under provincial control, but by passing this Bill we take them from the provincial control without asking the electors, who guaranteed these bonds. Those roads are simply put into the Canadian Northern Railway system without asking the electors, and become ipso facto under the legislative authority of the Parliament of Canada. Now, supposing all the branch lines of Messrs. Mackenzie and Mann in Saskatchewan had defaulted, what would have happened? The Government of Saskatchewan would simply have taken over those roads, and all that the roads would have cost them would have been their guarantee, namely $15,000 per mile. Some parts of those roads have been in operation for some time, and would bring in an income quite sufficient to pay the coupons on this $15,000 per mile, and it would have made absolutely no difference to the people living along those lines whether the money paid by a gentleman riding in one of the railway coaches went straight to the bond holders, that is the Government of Saskatchewan, or went to the bond holders via the hands of the Canadian Northern, or via the hands of Mackenzie and Mann. We should in this Senate take special care of the public, and see how they would be affected by this legislation. For the last three months public opinion has been stampeded; we have been told of the dire results that would come if any one of those branches were handed over to the bond holders. Well no such result would happen at all, and the public themselves in buying their tickets at any railway station, or a shipper sending goods out, would not know whether the money went straight to Mackenzie and Mann or to the bond holders. It would make no difference, for the rates would be the same, being controlled by the Railway Commission or by the public utilities commission in the provinces. I feel diffident on this question, on account of lack of information furnished by the Government, and also because in this particular instance I do not think I stand on all fours with the leader of the Opposition in this House, or with the illustrious leader of the Opposition in the other House. Those gentlemen, probably being actuated by very good motives, seem to be carried away or stampeded with the rest of the people. But I hold in my hand a copy of the Montreal Gazette of yesterday morning, and no one will say that the Gazette—

Hon. Mr. TAYLOR—That is a good paper.

Hon. Mr. CASGRAIN—As my hon. friend from Leeds says that is a good paper. Well, I will read the paper; I know it will do him good, and he will see that the paper follows pretty well the text I have just given, and the text I am about to give. The Montreal Gazette, of all the Conservative papers, is certainly among the most respectable papers in Canada; it is a paper that has weight with the community, and it is a paper that is not easily stampeded; even on the navy question it never became hysterical like the Montreal Star, and some other yellow papers. The Montreal Gazette is one of the oldest papers in Canada. It has been in the same family for some 40 years; the Whites are respectable men, and I am glad to bear testimony that they have never pandered to any passing caprice of public opinion. To my mind the Montreal Gazette, for a Conservative paper, is the fairest paper I know. Here is what the Montreal Gazette said yesterday morning:

The Liberal Attitude.

Mr. Bostock, the Liberal leader in the Senate, when the Bill to aid the Canadian Northern enterprises came up for consideration, took generally the same lines as did Sir Wilfrid Laurier in the House of Commons. He criticized the propositions of the Government. He declared, however, that something should be done to help Mackenzie and Mann and prevent a financial panic.

Now, here are the words:

It is hard to write in moderate terms of such a contention.

Mark the words:

It is hard to write in moderate terms of such a contention, but Canada's financial and commercial progress does not depend on the schemes or enterprises of any two men.

Hon. GENTLEMEN: Hear, hear.

Hon. Mr. CASGRAIN—I am not saying that; it is the Montreal Gazette that is saying that. I hope my friend from Leeds will still recognize the Gazette as a good paper. The article continues:

The country will grow because of the work on farms, in mines and factories, in the forest and the fisheries, of men engaged in productive industry, each adding his share of achievement to the great total. The completion in one or two years more or less of a railway undertaken without consideration of all it meant in the way of capital outlay is too small a thing either to save or imperil Canada's commercial stability.

That is again the Montreal Gazette:

If a semi-crisis were to be produced by a railway passing into the hands of its bondholders the fact would not warrant the giving of the credit of the country to aid the men responsible for what is weak in the situation. Many feel this and many have said it. The effect of the course taken by Liberal leaders in Parliament and by not a few Liberal newspapers in the country will be, however, to neutralize the possible political effect of the feeling noted, and to make the opposition the full sharer with the Government in the blame or praise which the action will evoke. Whatever influence the promoters of the Canadian Northern enterprises have over legislators it extends over men of all parties. If Mackenzie and Mann, thinking that some day they would make another demand, had arranged the Liberal line of action on the aid measure, it could not have better suited their convenience.

Hon. Mr. DAVID—I did not understand the first words. Will the hon. gentleman allow me to ask him does the Gazette say that both leaders, the leader of the Government and the leader of the Opposition express the same opinion, that some aid should be given?

Hon. Mr. CASGRAIN—The leader of the Opposition in this House and the leader of the Opposition in the other House both expressed that opinion that some aid should be given. Now, I do not think that a stronger condemnation of the action of the Government could be printed by a friendly paper. I read this for the benefit of the members of this hon. House, and especially for the hon. member for Leeds, who has just said a moment ago that the Gazette is a good paper; it is for them to take that article into serious consideration, in order to direct their action in this House and abide by the good advice. Reverting to this little bluebook, I said that the Canadian Northern railway in the Prairie Province was all right and paying its way. In this bluebook I find an item there which will be spent in the Province of Quebec out of this hundred millions that will be required, and I rejoice that that small item, for it is something, anyway, that will be spent in a province that represents between a quarter and a third of the whole Dominion. I find that there is an item for the Canadian Northern Tunnel and Terminal Company of $5,999,374. That is a provision for the construction of the tunnel for the company that comes to Parliament saying, 'If you don't help us we will have to suspend business and hand this line over to the bondholders.' There they are actually undertaking and carrying out now, from day to day, the construction of a tunnel of three and a half miles in length under the mountain in Montreal. That was an expenditure from which the Canadian Pacific Railway with its resources shrank from carrying out. The Canadian Pacific Railway knew very well that it would be an easy way to enter Montreal by way of a tunnel, as a tunnel would allow a train to go full speed through the city of Montreal, and it would be increasing the facilities for suburban traffic. But Sir Wm. Van Horne on many occasions when it was put to him said, 'I would not consider the enormous expenditure of making this tunnel and of establishing a railway station at the outlet of this tunnel right in the heart of the most expensive part of the city of Montreal.' But the Canadian Northern does not hesitate. They bought a site for their station at fabulous prices, and they are working night and day on this scheme, spending and throwing away millions. That station is within two hundred yards of the great Windsor station of the Canadian Pacific Railway and within five hundred yards of the Grand Trunk Railway station. We are well supplied with railway stations in Montreal and there was no need whatever of that enormous expenditure, but it is easy to go into reckless expenditure when somebody else is paying the piper, and when you never pay a cent for the stock that is coming to you.

Hon. Mr. SMITH—Will the sale of the land which they have north of the mountain pay for the tunnel?

Hon. Mr. CASGRAIN—I am glad the hon. gentleman has asked that question because, I may tell him, that land cannot be brought in. It does not come under this agreement. I ask the leader of the Government if the model townsite is in the guarantees?

Hon. Mr. LOUGHEED—They do not own the model city.

Hon. Mr. CASGRAIN—The hon. gentleman has answer from his own chief. Of

this one hundred million dollars approximately, six millions will be spent in Montreal for the construction of the tunnel, on the lands where the station is to be built, the station itself, tracks, &c., and for the viaduct from the mouth of the tunnel to the junction with the harbour track in Montreal. Either this Government or the Laurier Government—it was bad legislation which ever government passed it—gave those gentlemen what they called in their Act an easement, authorizing them to pass under private property without buying the property. Now the best lawyers in the province of Quebec claim that that Act is unconstitutional, because it interferes with civil rights. I am not a lawyer, but that is the opinion of several good lawyers to whom I have spoken on the subject. To give an instance of what has to be paid for acquiring an easement, I may mention the case of the Hon. Mr. Rainville. I believe they tendered him $1 or something like that. I know something about the matter because I was one of the arbitrators appointed, but the arbitration never took place. Mr. Rainville's property is a lot 50 by 150 feet at the outside, and they had to pay him for the property, out of court $165,000. They gave him $100,000 in cash, and a mortgage on the property for $65,000. How much will it take to settle with all the other proprietors when it cost $165,000 to go under Mr. Rainville's lot? That is an expenditure that should be at least questioned. I have always heard that when people in financial straits consult their banker, instead of being advised to extend their business, they are told to shorten sail, and go easy until money comes in. That is what should be done in this instance. This famous Montreal station is being built, but there is no railway connection with it at present. There is already a Canadian Northern railway station which has served the purpose of the company and it is the only place to which trains run. There is no object, so far as I can see, for building this tunnel, unless it be to enhance the value of the Model City townsite, which unfortunately for this government, is not included in the mortgage. We have the liabilities and not the assets. Now on page 11 appears a statement of what the Canadian Northern system has received in the way of cash subsidies. They have received in cash subsidies from the Federal government $21,378,534, from the Nova Scotia government $1,072,800 in one case, and on the Halifax and South Western Railway $2,804,450. We hear a good deal about the philanthropic action of these men in handing back 4,002,844 acres of land when they took over the Winnipeg & Hudson Bay Railway and the Manitoba and South Western Railway. There was a land grant of that amount attached to the charter, and these good contractors who were then Mackenzie & Mann and later on—I do not see the difference myself, Mackenzie & Mann, Limited—handed back this land and a great flourish is made of that fact by the Government. But to whom did they hand it back? To the Canadian Northern Railway which they own themselves. It is like a man who is getting a house built and hands himself back some of the money it cost. The Canadian Northern Railway system got a subsidy from the Ontario government of 4,000 acres per mile for 500 miles, making 2,000,000 acres. That land has not been located yet and no money has been raised on it. It is entered as one of the assets. I suppose the mortgage of the government will cover that. They obtained from Quebec 360,760 acres in connection with the Quebec and Lake St. John Railway; they built in the Province of Quebec the Valcartier branch 3.8 miles in length, and the Gosford, 4.5 miles, making a grand total of a little over 8 miles constructed in the Province of Quebec which is paying under this arrangement some $15,000,000. There is one thing surprises me about these gentlemen; while they are able to work the Federal and Provincial governments, they are not successful in getting money from municipalities. They got from the town of Port Arthur for putting their terminal there, instead of in Fort William, $50,000, and from the town of Parry Sound $20,000. Whether they think the municipalities are small fish, and it is better to go to the government direct for large sums, or because they could not do any better, they have received only $70,000, in all in the way of municipal aid. They probably do not think it is worth while working the municipalities. They find this Government much easier. I wish to correct myself, they obtained aid from the former government, and I admit I was one of those who supported their claim on that occasion. They were given a guarantee of $35,000 a mile for 1050 miles between Port Arthur and Montreal, making a sum of over $35,000,000 guaranteed, but mark the difference between that guarantee and the one now proposed in the Bill before us. It was a first mortgage on every mile of that road, barring a small piece near Hawkesbury of 50 or 60 miles on which bonds had already been issued, and

on which the government had to be satisfied with a second mortgage. But outside of that, it was a first mortgage on the whole of that mileage. It was stated at the time the guarantee was given that the road would cost $50,000 to $60,000 a mile and that prediction has proved true. Every mile that has been built has cost that much. The Canadian Northern in that case had to put $25,000 on as a second mortgage—to put the $25,000 per mile behind the first mortgage we had. Consequently that was not a bad bargain. I know that the grades on that line from Port Arthur to Montreal are better than the Canadian Pacific railway grades. We have had the profiles of the line and the line had been partly laid. The line is so much better than the line of the Canadian Pacific railway between Port Arthur and Montreal that if this road were put on the market tomorrow I have no doubt in the world—although I have no authority for saying it—that the Canadian Pacific railway would be very glad to take it for the mortgage which Canada has on it, namely $35,000 a mile, because they would have a much better line to haul their freight than the one they have now. Perhaps it was very unwise to give that guarantee, but hon. gentlemen will remember that in 1911 we were in a great era of prosperity, and times have changed since. At that time everything was going up, stocks were up, every enterprise was booming, and we thought then we were justified in guaranteeing that this road would be built. Parliament then and the country at large were intoxicated with the enormous prosperity we had under the Liberal regime, and that is the only excuse I can give for guaranteeing this road. If we had known hard times were coming, it would have been better to say, 'No we will not give you that guarantee, but we will tell you that from Quebec to Winnipeg, or Winnipeg to Toronto via Cochrane you may use the National Transcontinental railway. That would have been a wise course, and that would have taken care of all the traffic that would have come that way. On page 13 we find the guarantees given by the various provinces. They amount to no less than $76,850,203. And remember that in all those guarantees not one cent has been guaranteed by the Province of Quebec. Consequently Quebec is not responsible for one cent of it. Still we have to pay our share. When those people who have endorsed will not pay, we are called upon to pay. The Government of Alberta guaranteed $6,500,000. The Government of Saskatchewan guaranteed $8,000,000 and the Government of Manitoba guaranteed $23,849,630. The little province of British Columbia—little in point of population because in territory it is bigger than any province, barring Quebec, counting Ungava as part of Quebec—has guaranteed on the main line and branch lines, $24,126,573. They have guaranteed as much as the whole debt of the Province of Quebec. The branch lines guarantee in Alberta is $6,424,000, consequently Alberta has guaranteed, adding the two amounts together, $13,000,000, making a grand total of $76,000,000—and for that $76,000,000 Quebec is not responsible for one cent, Quebec will pay one-third—that is one-third of the $45,000,000. That is in addition to assuming, with the rest of the Dominion, the liability for the whole amount. The hon. leader of the House told us last night that the $58,000,000 which was supposed to be got from securities not now issued and earned, were included in the $311,276,832.32, and it would help my argument if the hon. leader would tell me whether or not the $58,000,000 are included in that.

Hon. Mr. LOUGHEED—Oh, yes

Hon. Mr. CASGRAIN—There are amounts outstanding, and the annual interest. It is on page 13.

Hon. Mr. LOUGHEED—Yes. The $58,000,000 as I stated last night is included in the bonded indebtedness of the road, namely $312,000,000.

Hon. Mr. CASGRAIN—What might lead one to take a different view is that right next to it is the annual interest, interest is charged, and it seems to me very strange that you would charge interest for things that are not issued yet, because the annual interest is $13,116,024. There is to be deducted therefrom interest on income charge convertible bonds, $1,250,000, leaving an annual interest of $11,866,024.96. That is a fixed charge, the amount outstanding of the annual interest. If we look at the outstanding and fixed charges in the report of the Government officials we find a difference, not a very large difference, but there is a difference, and that difference shows that it should have been adjusted. Now the fixed charges according to the report of the Government officials are put down at $12,927,893.03. The fixed charges according to the Canadian Northern Railway official is $6,950,380, making a difference there of $6,000,-

000, but as against that the Canadian Northern Railway say that the annual interest is $13,166,024.96. I think it is rather puzzling. Fixed charges and annual interest in my opinion would be about the same thing. I see a banker in front of me, namely Col. the Hon. Mr. Mason from Toronto and I do not see how an annual interest and a fixed charge would differ very much. However, that is the point. Here are the railways which are being pledged to the Government: that is to say the equity, for they are now bonded for perhaps more than they would bring. Here is the statement of the gross earning operating expenses. The gross earnings last year were $24,527,478, and you will see there, as a railway which was paying its way, operating expenses were $17,503,610, leaving net earnings of $7,023,-868. That is about the right proportion. That is to say a railway in good order, running through a well settled country would probably realize to the good about one-third of the gross receipts. I may say en passant that the electric roads would bring in a larger revenue, because as a rule the distances are shorter, and the operation is more controlled, being pretty much in one place and not too much extended. Then we have the Canadian Northern Railway. You will see the gross receipts there, and the operating expenses—I shall dispense with the figures. The net earnings were only $50,000. In Ontario with 1,527 miles of railway all they make was $50,000, and that road represents a number of million dollars. Of course that 1,527 miles is not all in operation, that figure is merely the mileage constructed. Then the Canadian Northern Railway in Quebec did better. They have made $285,961. They realized about one-seventh of the gross receipts, but they did not make enough to pay the interest on their bonds. Now we come to the Quebec and Lake St. John railway and that is a beautiful story to tell. They took $959,-380 in gross receipts, and the operating expenses were $823,847, and the net earnings were $185,533. The Quebec and Lake St. John is put down here at a large price. That road passed into the hands of the Canadian Northern Railway system some time ago. I can speak of that really better than I can of other railways in Nova Scotia or British Columbia because it is nearer home. That road was subsidized by the various governments, and was actually built with subsidies, the total subsidies averaging from first to last about $19,000 a mile. It was built through a very bad country. It goes over the summit of the Laurentian mountains three times before it reaches Lake St. John, and it runs over grades of 2 per cent. It would be an ideal place for Mr. Gutelius to run a railway according to his proposition, because they could coast down one mountain and ride up the other mountain with the velocity acquired. The bonds were issued, and were in the hands of Hanson Bros., Montreal, but they were not paying the coupons, and then further bonds were issued, and the situation went from bad to worse Mackenzie & Mann negotiated for the road and bought it. The road is, according to the statement, $185,000 to the good. How did Mackenzie & Mann get the road? They paid 25 cents on the dollar, not to the shareholders, but they gave it to the bondholders. I think, His Honour the Speaker knows all about this transaction. They gave 25 cents on the dollar to the bondholders, but not in money—in new bonds, and now they operate this road, and this is one of the roads on which we are going to have a mortgage, and this road, if put in any sort of condition and operated properly, would certainly not pay the interest on the présent bonds. At any rate I see a large amount entered in the column of assets as to the value of this road—the hon. gentleman from Grandville (Hon. Mr. Choquette) reminds me it is $4,400,000. I would like the gentlemen on the other side who have sufficient information from the officials, to know what they did for the road, or whether they are handing this Government something which is not of much value, and diminishing thereby the security we will have for our $45,000,000. The Central railway of Ontario brought in $132,000 clear. The Bay of Quinté railway brought $136,-000 and the Irondale, Bancroft and Ottawa railways total receipts were $30,384, operating expenses $23,967, and the net earnings $6,417. Then the Niagara, St. Catharines and Toronto railway—that is the one that the Government officials lost, but we have it now—brought in last year $475,360 of gross receipts. The operating expenses were $326,-905, leaving a net earning of $148,475. That is on the small electric railway that runs from Port Dalhousie to Port Colborne, and there is a line of boats running from the City of Toronto. That was a very paying piece of road, the net revenue being over $2,000 a mile and its business being nearly $6,000 a mile. It was a very profitable road. But that road is not put in; the government officials did not take that road

in at all. However, some remonstrances were made, and the bargain was altered. Then we have the Halifax & Southwestern Railway taken in, and this is one which has not much value. Its gross earnings were $531,338, and its operating expenses $528,217, leaving only $3,121 to the good. Now, who is going to pay the interest on those bonds? The Hon. George H. Murray, premier of Nova-Scotia, I understand, has sent a letter to the government or to the leader of the opposition. I dont really know to whom—, praying that this aid should be granted. No wonder he would do so when he would have to pay the interest on those bonds, or his province would, because, I suppose this is a line that has been guaranteed by the government of Nova-Scotia, and naturally he would like to relieve the province. There is another little piece of line in Cape-Breton, I should say about 40 or 60 miles in length, running close to the coal mines, and I do not see any trace of it here at all, though it is shown on the map, on this table, on the map it is coloured, as belonging to Mackenzie & Mann, but I do not see any trace of it. Perhaps the hon. leader of the Government would enlighten me and this House as to that?

Hon. Mr. LOUGHEED.—What is the name?

Hon. Mr. CASGRAIN.—That is it; I cannot get the name of it.

Hon. Mr. ROSS (Middleton).—The Inverness Railway Company. That is an unfinished road. If you take that and finish it you take over a heavy liability.

Hon. Mr. BOYER.—We are taking a good many unfinished roads.

Hon. Mr. ROSS (Middleton).—I know you are.

Hon. Mr. LOUGHEED.—The Company in question is not controlled by Mackenzie & Mann.

Hon. Mr. CASGRAIN.—It is shown on their maps as tinted with their colour; it is another mistake.

Hon. Mr. LOUGHEED.—No, it is not a mistake. It may be connected with the Canadian Northern Railway system, but it is not controlled by Mackenzie & Mann or the Canadian Northern Railway

Hon. Mr. ROSS (Middleton).—It is mixed up with a coal Company.

Hon. Mr. LOUGHEED.—It is controlled by a coal Company.

Hon. Mr. CASGRAIN—I only wanted to show this House that I looked for every little bit of road I could find. There are a couple more railways, but as the time is getting short I will omit them. The grand total of the gross income of the Canadian Northern system was $31,812,776, and the operating expenses $23,351,678, so that the total net earnings of that system were $8,461,098, according to their own figuring. But right on the page preceding, they have it that the annual income, after taking the interest and charges on the convertible bonds, will be $11,866,024. Therefore, there will be a deficit, but here they claim—though I cannot understand how they get at this—that the fixed charges on outstanding securities are only $6,950,380, leaving a surplus of $1,510,718. They have a surplus, and their annual interest on the outstanding securities, after making deduction for the convertible bonds, is nearly $12,000,000, though the total net income is only $8,000,000 in round numbers, on the following page they say that their fixed charges are a little less than $7,000,000. Now how can that be? I hope somebody on the government side will explain the discrepancy or the difference—I think it is all wrong—it is between pages 13 and 14, but there it is. At the foot of the same page, is the estimate that I spoke of in the beginning by Mr. B. Hanna, the company's Third vice-president, who has had a lot of experience in railway managing and knows all about railways. Mr. Hanna is the one they have selected to be a prophet of what this road will earn during the next five years, when linked up. Although the gross earnings this year were only $24,000,000, Mr. Hanna immediately jumps up to $31,000,000 for 1916; and those gross earnings will jump from $31,000,000 to $54,000,000. This prophet, Mr. Hanna, does not seem to be looking around at what is taking place. Why, there was no increase this year in the receipts of the Canadian Pacific railway. There has been a decrease, and a considerable loss since the beginning of the year. I am perfectly within safe limits when I say that far from there being an increase in the gross receipts of the Canadian Pacific railway this year, there will be an actual decrease of from $20,000,000 to $25,000,000. What I say now is being taken down, and as I said before I have some regard for my reputation in making statements about the

transportation of this company, and I affirm that in my opinion the gross receipts of the Canadian Pacific railway this year will have decreased. Still we have Mr. Hanna saying that the receipts of the Canadian Northern railway system will increase to $54,000,000 in 1916 and to $61,000,000 in 1917, and to $67,000,000 in 1918. He gives figures for only three years, and he must be naturally very optimistic in view of the facts that the Canadian Pacific railway will lose this year and are losing, as any hon. gentleman will see if he takes the trouble to look at the receipts, although the Canadian Pacific railway is surely as good a road as the Canadian Northern railway and runs through a better settled country, with a good administration, etc. Now, how can another gentleman prepare a document for this Parliament and tell us that the receipts will jump in two years from $31,000,000 to $54,000,000, when we know very well that the other railways are running behind? How can that be possible?

Hon. Mr. MASON—You are jumping a year.

Hon. Mr. CASGRAIN.—Yes, two years. This seems to be very strange, I have only been dealing with the part of this report which was prepared by the Canadian Northern Railway themselves. I have studied the report prepared by the Government officials, on page 20 I find that out of a total mileage of about 10,000 miles there is in Quebec only 647 miles. The line between Montreal and Quebec is in fair, not extra good condition, but the 293 miles of the Quebec and Lake St. John line is in very poor condition. So that for this 647 miles in Quebec, part of which they did not build but acquired, we will have to pay the piper for our share. Page 21 shows all the stock that was got for nothing. A great many companies are named, some of them apparently only for the purpose of mixing up matters. I know the Canadian Pacific Railway has many subsidiary companies, but the Canadian Northern Railway has many more. All these companies have a total issue of paid up stock amounting to $158,601,000. Now this is the stock which is being reduced to $100,000,000, some say $125,000,000. The amount is a debateable question. I never heard, and nobody else ever heard of call being made on this stock Now I come to the report prepared by the Government's officials. I said just now that the hon. leader of the Senate had told us that Government officials had verified all the books of the company. I replied that they had not. Here is what they say themselves:

> With regard to the lines west of Port Arthur, the books of construction of the lines in British Columbia are kept in Vancouver, and the books of the construction of the lines between Port Arthur and Yellowhead Pass are kept in Winnipeg. From these offices, monthly statements are forwarded to the head office in Toronto, and from these statements, we have verified the expenditure on construction relative to that portion of the system.

I would specially call the attention of the hon. member from De Salaberry to that point, that the books were never examined but only monthly statements which may or may not have been sworn to, and yet the officials of this Government claim that they made a thorough examination of these books. They are honest enough to acknowledge that they did not see all the books, yet the leader of the House has told us that they did examine all the books. Then the three officials, Mr. G. A. Bell, of the Department of Railways and Canals, Mr. S. L. Shannon, comptroller of the Canadian Government Railways, and Mr. J. C. Saunders of the Department of Finance tell us:

> We would direct attention to the fact that the railway company has received any benefits accruing from such subsidiary companies as the express and telegraph companies, steamship companies and certain benefits from the town site companies.

Certain benefits only: what does that mean? They do not say what amount of benefit that has been derived, but only "certain benefits." That is not proper language to use in an official report dealing with a large affair entailing the expenditure of nearly $400,000,000. Supposing an auditor were employed to audit books and reported that certain accounts had been paid, we would not consider that that auditor was doing his duty by the company or the shareholders, when he reported in such an indefinite way. These gentlemen were acting as auditors for the Government and they should have stated what benefits, if any were derived from the townsites. They gave a mileage, with the correction I have explained, of 7,236 miles. There are small differences in the amount of cash subsidies. Then the expenditure on construction as we find in the statement is $244,670,169.24. Then there are payments in reduction of capital. It runs up to a grand total of $305,853,832.06. How that was spent is not stated. We are told it was expended on "construction as per statement." I suppose

that statement is one of the documents which the hon. gentleman had, and which he did not submit to parliament. There is a statement showing the amount derived in cash subsidies from provincial governments and municipalities, and guaranteed securities and other securities. We find that outside of the various governments the other securities amount to $89,676,000. These were the only ones that, if a crash really came would suffer, because the provincial governments and the federal government guaranteed knowingly and are able to pay. The hardship falls on those who own the $89,000,000 of other securities. As to the fixed charge, as I said before the government officials do not agree with the Canadian Northern officials and there is a great discrepancy which I hope will be explained. Here is another discrepancy, and it is one which I cannot excuse. The government officials say that the total capital stock issued is $145,778,500. Now the Canadian Northern railway officials say that the total issued stock is $158,611,000, a difference of $13,000,000 between the two statements. As to the cash subsidies I find a small difference in the additions. There is on page 42 a statement showing an amount due on construction to the contractors—and the interpretation clause says the contractors are Mackenzie and Mann, Ltd., and Sir Wm. Mackenzie and Sir Donald E. Mann, of $21,262.527.26. I suppose the very first amount paid out of the $45,000,000 will go to these contractors, because that is an outstanding debt. The present administration seems to have been very good to the Canadian Northern railway system. The very first year they were in power, in 1912, they voted in aid of lines in British Columbia extending from Yellow Head Pass down to Port Mann, a cash subsidy of $12,000 per mile. That road had already been guaranteed by the McBride government to the extent of $35,000 per mile, and later guaranteed an extra $10,000 per mile. The guarantees amount to $45,000 per mile and on top of that the road was given a cash subsidy of $12,000 per mile making a total of $57,000 per mile for every mile of that road in British Columbia from Yellow Head Pass to Port Mann. One would expect that in granting such aid the public would get some benefit and have some say as to the rates. Not at all. The road was actually taken away from the legislative authority of Canada and away from the Railway Board and handed over in consideration of these guarantees to the government of British Columbia to regulate the rates, and the Dominion, although it gave this unheard of subsidy of $12,000 per mile, lost control of the rates. All that is not sufficient, and Sir Richard McBride went to the country and carried it on the strength of the fact that the province would have control of the regulation of rates. What has happened? Sir Richard McBride breaks faith with the electors of British Columbia and takes the road that the province has guaranteed to the extent of $45,000 a mile and puts it back where it belongs and should always have belonged—under the control of the Railway Board. I may be told that Sir Richard McBride was in a strait and it would be very hard for the province to pay the 24 million dollars but it was put up to him in this way, you can choose either to stand by the guarantee or break faith with the electors of your province. He chose to break faith with the electors. With such bonuses one would expect the company to have built a road up to the standard of the Grand Trunk Pacific or the National Transcontinental railway, but I fail to find in the agreement any standard as to grades or curves. The company can build any kind of road it likes and still get the $57,000 per mile in guarantees and subsidies. I have not said one word against Mackenzie and Mann and have no intention to say anything against them; whether they made money out of this enterprise or not is not for parliament to say. It is not our business to inquire where the money went at present. I fear that this enterprise is doomed and that the guarantee of $45,000,000 will not save it. Then will be the time to inquire where the money went. If perchance in ten or twelve or fifteen years this road should earn enough to pay the interest on its debentures it will be at the expense of the Canadian Pacific railway and a government road the Grand Trunk Pacific. The first year the present government was in power it aided Mackenzie and Mann. The next year there was no talk of giving them subsidies, but they talked of giving $7,000,000 in addition to the guarantee of $35,000,000 which had been granted by the former government. They got that aid, but that is not the whole of it. No more subsidies could be granted for any visible place. All the lines had been fully subsidized and guaranteed by the government. What did this government do last session? They actually took $15,000,000 and gave them, not applicable to any particular place, not a guarantee out and out, $15,000,000 and $6,000,000. The proceeds of that $12,000

subsidy per mile made $21,000,000. Now they are proposing to give $45,000,000 of a guarantee and that will make the beautiful grand total of $66,000,000. This Governernment has been in power for 134 weeks, consequently we have given to the Canadian Railway system half a million per week. How long will the people of this country stand for that? I do not know. Hon. gentlemen will see that there must be an end to this sometime, whether it be wiser to end it now, or twelve months, or twenty-four months hence is for this House to decide. I think this is the most serious question that has been before this House. If a financial house of any kind goes to a bank, and says to them, as these gentlemen have said, that they are insolvent, is it likely the bank will say, 'We will give you a larger amount and you go on for another year,' while the annual interest charges, according to these men are twelve million, there is a deficit according to their own figures, of $4,000,000. Is it likely the bank would give them the money. Public opinion has been stampeded with the idea that if this road became insolvent dire results would follow. The hon. gentleman from De Salaberry has been instrumental in putting on the statute books a law concerning insolvent railways, and that law has worked perfectly. The whole provision according to law is on the statute book. I might be allowed to make one personal reference to the old Baie des Chaleurs railway—and there are hon. gentlemen within my hearing who know that there was no road in a worse condition than that railway. It was a road against which everything had been said. It did not pay its way. On the 1st July 1900, your humble servant accompanied by an English bondholder went down and took possession of the road. You would think to hear the way people talked, and the way the people had been stampeded, that the taking possession of the road was going to cause a revolution in the country. It was done in the simplest way. Your humble servant with an English bondholder, and a former manager of the road, Mr. Chas. Newhouse Armstrong, went into every railway station along the road and said to the ticket agent, 'Henceforth instead of turning in your money to C. N. Armstrong, you turn in your money to the bondholders of the road', and the ticket agent said 'I will'. Since that date up to the present time, the road has been operated. For ten years I represented the bondholders in this country; and from that day that road has been operated, and if hon. gentlemen would take the trouble to go to the Post Office Department they would find that the road has given a good service. The brother of the hon. gentleman from Beauce will bear me out in the statement that no railway gave better service than the Baie des Chaleurs as operated by the bondholders. There was never an action at law against them, never a lawyer's letter for anything that was not paid from the 1st July, 1900, for ten years onward, when the road was taken over by the Quebec Oriental railway and connected with the Gaspé Western, connected down to Gaspé, and it was made a success. The only difference so far as the employees of the road was concerned, was that before the bondholders took hold of the road the employees had not been paid, and some had worked for weeks and months without receiving pay. But when we took hold of the railway we said, 'We will pay you wages, we cannot afford to pay extravagant wages, but you will get your money every two weeks.' And it is the only railway that I know of in this country which pays its employees every two weeks enabling them to buy for cash, and they thus obtain a large discount that they would not, if paid only once a month.

The Senate adjourned till 3 o'clock this afternoon.

SECOND SITTING.

The Speaker took the Chair at 3 o'clock.

Routine proceedings.

CANADIAN NORTHERN RAILWAY GUARANTEE BILL.

SECOND READING.

The Order of the Day being called

Resuming the adjourned debate on the motion for second reading on Bill (214) An Act respecting the Canadian Northern Railway system.

Hon. Mr. CASGRAIN—When the House adjourned at 1 o'clock I was about to state how the Province of Quebec was not getting anything out of this $45,000,000 it was proposed to spend, or rather the larger sum of $100,000,000, except perhaps for the terminals in Montreal. The plea is that every other province seems to have benefited by this Canadian Northern Railway system except the poor Province of Quebec.

Hon. Mr. THOMPSON—And New Brunswick.

Hon. Mr. CASGRAIN—And New Brunswick. I may say at once, as far as New Brunswick is concerned, we have heard a lot during this discussion of a transcontinental road, and that we must build this transcontinental road. I notice, even by the plan produced by the company, which is on the table of this House, there is a gap of some 600 miles between the railway terminal at Quebec and the other line belonging to the company in Nova Scotia, namely the Halifax and Southwestern Railway, and I do not see any provision at all for linking up those two parts. Therefore that eastern part of the Province of Quebec would not be connected with the most eastern part of the Canadian Northern Railway system. There is no use talking about a transcontinental road, so long as that gap of more than 600 miles exists between the end of rail in Quebec and the end of rail in the Province of Nova Scotia. In Quebec we have to-day a railway running from a place called St. Joachims which is about 27 or 28 miles below Quebec, the Quebec and Saguenay, which was built at very great expense and for a distance of some 62 miles down to Murray Bay. The grading of that road has been completed, and the 62 miles have cost nearly $4,000,000. It was a most expensive road to build, as anyone acquainted with the topography of the country on the north of the St. Lawrence from St. Joachims down to Murray Bay will know. It was necessary to pass in front of Cap Tourment, a mountain with an altitude of 1,500 feet, and in making a shelf in the rock for the railway to go past this very high mountain, no less than 800,000 yards of solid rock had to be removed, both in front of Cap Tourment and in the various tunnels along the line. That road has been graded. Unfortunately the promoters of this railway, who had found the money and had paid Mr. M. G. O'Brien the contractor, $4,000,000, have a road that now needs to be ballasted and have ties and rails put on, in order to be put into operation. The present Government is now building a railway to Port Nelson—which should not be called a port, because, as I have had the honour to mention several times in this House, it is not accessible to ships of any draught at all. The depth of water there, 16 miles away from shore, being according to official reports brought down in this House, only 17 feet. It will cost an enormous sum of money to make a port there, although a port could be created at that point by spending millions and millions of dollars. But that railway, when built, would simply take away part of the traffic which would go to help this very road, the Canadian Northern railway, which runs to La Pass; it will simply deflect from it the traffic that might have been carried further east, and so earned the long haul. My own humble opinion, which has been expressed in this House many times, is that that project should never have been undertaken. I do not blame the present administration for it, more than the former administration, yet the facts exist. If the Government had been willing to do anything at all for the province of Quebec, instead of building this 500 or 600 miles from La Pass to Port Nelson, they might have completed the 60 miles which have been built at such an enormous cost, that is the road from St. Joachim's to Murray Bay. The road has what is called a water grade, that is, the elevation of the road is two feet above the highest known water. It is a perfectly level road, just as level as the waters of the St. Lawrence. By continuing that road for only 42 miles more to a point called Bay St. Catherine, on the right shore of the Saguenay river, they would have a harbour which has been in existence and known to navigators ever since the colony was founded. In fact, during the old times when the colony was first founded, for more than 100 years the transatlantic ships made the end of their transatlantic voyages at the Bay St. Catherines, for the reason that they could not navigate before the wind in those days. That harbour is open all the year around; and by simply continuing the Quebec and Gaspé railway for 42 miles down to Bay St. Catherines, we would avoid the enormous expense of building this road to Port Nelson. It is a port that is open all the year round, a small steamer that is subsidized by the Government calls twice a week all through the winter, and in 12 hours after you leave Bay St. Catherines you are out on the ocean, travelling on an ordinary tramp steamer. Some provision should have been made when this Canadian Northern Railway system was being organized to give a winter port to the Province of Quebec, and this Government might have merited the gratitude of that province, but nothing of the kind has been done. In fact, in another place the leader of the Government said that nothing will be done. It seems strange in view of the fact that they are willing to spend the public money to give railway facilities everywhere else, that they should refuse to build this small piece of road, only

42 miles altogether. I admit that it would be expensive to build, but with that section constructed you would have a winter port in the Province of Quebec. There was one matter which I overlooked this morning; that is the cash received for the land sold by the Canadian Northern Railway. I find the amount for which it was sold is $16,780,253, but there is no trace of that amount that I can find in the statement furnished by the Canadian Northern Railway system. I do not know why it was omitted. I find also that there is charged for expenses connected with the survey sale, &c. of that land $4,155,304.24. That seems to be about 25 per cent of what the land brought. Somebody must have got a very big commission on the sale of those lands; the commission is better than real estate agents in Toronto, Montreal or anywhere else expect. I would call attention to the difference in the statement made by Mackenzie & Mann here and in England. When they come to us they are hopelessly involved and must be helped, but it is another story when they are borrowing money from the London money market. There everything is rosy and of such a character as to induce the public in London and Europe to invest in their securities. I have not the prospectuses of the different issues, but I think they were furnished to the other House by the law partner of the hon. leader of this House. The conflict in the statements made in London and here should make us doubtful of the accuracy of any of them. There is one clause in the Bill referring to the outstanding temporary loans, sub-clause (e) of clause 5, which is as follows:

(e) Covenants or undertakings to the satisfaction of the Governor in Council shall be given that all outstanding temporary loans to the Canadian Northern or any of its constituent or subsidiary companies secured by the deposit or pledge of securities, will be paid out of the proceeds of such deposited or pledged securities when the same shall be sold or disposed of, and that no proceedings against the Canadian Northern or any of said other companies will meanwhile be taken for the collection of such temporary loans.

That will not be paid out of the $45,000,000 we are about to guarantee, but out of the $58,000,000 they are supposed to receive from pledged securities deposited with bankers and others. They will sell those, and if they have anything left will pay the outstanding temporary loans. I am not a lawyer but it would appear to me that if they do not pay these temporary loans they lose their right to proceed against the Canadian Northern railway or any of the other said companies. Further on in clause (f) I find the following:

(f) Covenants or undertakings of the contractors and such other covenants or undertakings as may be required by the Governor in Council shall be given that the current indebtedness of the Canadian Northern and of the constituent and subsidiary companies will within one year from the passing of this Act be reduced to the normal or usual current amount to be determined by the minister.

That means that the Minister will say to the bank with which they are doing business, how much shall be due. Last year the name of that bank was mentioned and when the $15,000,000 was given to the company it was stated 'If you do not give that to a certain bank they will be in very serious difficulties.' This year we are making provision that the minister shall say how much that bank is to receive.

The clause continues:

And that meanwhile all such current indebtedness other than such that may be the subject of bona fide dispute will be either paid or arranged in such a manner that no proceedings for the enforcement of payment thereof will be taken or pressed.

That is a strange clause to insert in a Bill giving the Minister power to say you shall pay that bank so much, and in the meantime all other current indebtedness, except such as may be subject to bona fide disputes, will be either paid or arranged. Legal gentlemen can find ground for bona fide dispute in almost anything.

No proceedings will be taken to collect that money, but the Minister will see that the bank gets what he thinks is right. I will refer to clause 12. The leader of the Government last night said that in passing the Transcontinental Bill the former administration agreed to create $25,000,000 of watered stock. I do not think that the creation of that $25,000,000 of watered stock, should be compared with the creation of $100,000,000 watered stock we are now talking about, for the very good reason that the Grand Trunk company, with its $487,000,000 of assets went guarantee for the construction and payment of liabilities of the Grand Trunk Pacific from Winnipeg to Prince Rupert, and I may say that at the time Mr. Hays had a great deal of difficulty in getting the shareholders of the old Grand Trunk Railway to agree to become liable, by the trust deed, for the payment for all charges whatsoever on the construction of the Grand Trunk Pacific from Winnipeg to Prince Rupert. But this $25,000,000 of stock was created to be given on the completion

of the enterprise only, to the Grand Trunk railway company, to pay or to indemnify them for financing the Grand Trunk Pacific for a distance of 1,800 miles. That was quite proper. We are creating to-day $100,000,000 of stock on the Canadian Northern Railway system, on a system which comes to us and says that they are not able to carry on their enterprise, that they are at the end of their financial ability. There is no comparison, and more than that there is in clause 12 a proviso for another 25 million of stock for the purpose of exchange of income charge convertible debenture stock secured by trust deeds to the British Empire Trust Company, Limited, the National Trust Company, &c., not exceeding $25,000,000. That makes $125,000,000. If the Government is to get two-fifths of that instead of 40 millions, which we are about to get, they should get fifty millions. If I understand this thing properly they should have two-fifths of that amount, which would be 50 millions. I find later on in the trust deed that there will be only thirty-three millions given to the Government, not forty millions of this common stock. I do not think this common stock will be worth very much for many years to come. There are the thirty-three millions and the seven millions of stock which was printed last year. They simply got the printing press in motion, and they printed out seven million dollars worth of certificates, which they handed to the Government when they received the fifteen million cash. The seven million and the thirty-three million would make forty million, but they are still twenty million short on that twenty-five million income charge convertible stock. However, it seems to me it should be fifty millions instead of forty, but I would not be sure about that. When the Government say they will not enforce payment, and no legal proceedings will be taken, I would like to know what they intend to do with this clause. I suppose all the Senators have seen as I have, a sort of fly sheet which is headed:

LEGAL INVESTIGATION DEMANDED.

Shareholders of Canadian Northern Quebec Railroad Move the Supreme Court of Canada to Remove Mackenzie and Mann from the Management and Control and Demand an Investigation of Finances.

Many Irregularities Claimed.

(Manitoba Free Press)

Montreal, May 12.—Acting on behalf of Geo. L. Alexander, Messrs. Beattie, Blackstock, Faskin, Cowan and Chadwick, of Toronto, filed an application in the supreme court of Ontario on Saturday, asking for the winding up of the Northern Consolidated Holding Co., Ltd., whose capital stock is eight million dollars. The company was incorporated in 1903. Mackenzie and Mann own $4,400,000 of the stock of the company, which is the holder of the Canadian Northern Quebec Railway Company stock. Sir William Mackenzie, Sir Donald Mann, D. B. Hanna and R. P. Ormsby will be subpœnaed to give evidence. Mr. Alexander asks for the appointment of a liquidator of the company, alleging that it is insolvent, and demands a complete inquiry into the entire condition of the company and its accounts. He represents over one million dollars of the stock of the Northern Consolidated Holding Company.

I might tell the Senate that the Northern Consolidated Holding Company, is the holding Company for the Canadian Northern Quebec Railway, whose capital stock is eight million, and they control the Quebec Northern Railway Company. This document continues:

Mackenzie and Mann have acquired by one means or another no less than $4,445,300 out of a total capitalization of some nine millions, and it is claimed by indignant shareholders, that by J. P. Morgan and New Haven methods and bearing the stock, influencing legislation, making it a crime to deal in this stock or even offer it for sale without permission (this is actually on the statute book) in one of the provinces, and generally discrediting the railroad for the purpose of gobbling up the rest,

Hon. members may have read this themselves, but to show how this Company has been able to influence the various legislatures, including this Parliament, let me simply read:

As a further illustration of the malicious influence, which may be hardly credited but is nevertheless a fact, they have actually succeeded in obtaining unconstitutional Russian star chamber legislation now put on the statute book of one of the provinces as amendment to the blue sky line law, no later than February 20th of this year, 1914, of which the following are samples:

This is from the statute:

'or for any person who owns shares, stocks, securities, etc., to sell or attempt to sell in the course of continued and successive acts is liable to a fine of from $50 to $500 or to imprisonment with or without hard labour for not exceeding six months.'

And then it continues:

This is a specimen of Mackenzie and Mann's influence over legislators, and was enacted with the special object of barring the above stock from Canadian markets, and not only have proceedings been initiated in the local courts to enforce this nefarious legislation, but government officials have already attempted to influence United States authorities in the same direction (but without results) on the ground that this stock is not transferable at the railroad's transfer office in Toronto, and is therefore valueless.

Hon. Mr. CLORAN—Read it and put it on record.

Hon. Mr. CASGRAIN—It is too long to read all through but the purport of it is that Mr. Ormsby, who is the secretary and a paid official of this company, actually discouraged and told people that those shares had been offered to the company at $2 and $3 a share and that they had been refused by the company, whilst at the same time the shares were selling from $50 to par. Now, I do not wish to detain this House any longer, except just to say that hon. gentlemen will notice that I have not said one disparaging word about Mackenzie and Mann. I consider them by far the cleverest men in Canada, so far as railway matters are concerned, and I do not think that any member of this Government, including the Solicitor General is any match for them, in making a contract of any kind. They have been wonderfully helped by Mr. Zebulon A. Lash, the able solicitor of the Canadian Northern railway, who with his far superior knowledge of this very involved company, has been able to dictate to the present administration exactly what would suit them. The ability of Messrs. Mackenzie and Mann, as men, deserves great commendation. I have so stated in a lecture delivered in Toronto before the Empire Club. A banquet was given to Sir Wm. Mackenzie, and he stated that ten years previous to that banquet there was no such thing as the Canadian Northern railway, but while he was speaking he was proud to say that 3,650 miles of the road was then in operation. This showed that Sir Wm. Mackenzie and Sir Donald A. Mann had been able during ten years to build, to equip and to put in operation one mile of road, winter and summer, for every calendar day of those ten years. I say that men who can achieve anything of that sort deserve commendation. Since that time they have gone on at a faster rate, and they have been able to construct about two miles per day. Therefore if they made any money out of this enterprise, I am not the one to find fault with them. They have great ability, and I do not think there is anybody superior to them either in the Canadian Pacific railway or in the Grand Trunk railway or the Grand Trunk Pacific railway. It required a lot of work and ability and energy for two men to build and put in operation 7,500 miles of road, to have about 1,500 miles where the track has been laid and not yet in operation; to have built a system of 10,000 miles, and to have done all this almost single-handed—because they had to fight at first the strong opposition of the Canadian Pacific Railway. As long as they were fighting against that monopoly, for it was a monopoly in the Northwest, I for one did all I could, every time I had a chance, to vote for Mackenzie & Mann's enterprise, because they were giving competion to the people of the Northwest. When they came down to certain parts of Ontario and Quebec I was glad to welcome there a railway giving the public more facilities. But if they have during the last 15 or 20 years displayed all this ability, it all pales into insignificance before what they have been able to accomplish just now. When they have got to the end of their tether, as it were, when they could borrow no money, when everything in sight had been pledged, they were able to come down to this Government this year and obtain from this Government, what? Not only a subsidy and money, but actually obtained from this Government their consent to go into partnership with them; so that now they can go out to the world and say, "Why, look at our partner; the partner is the Dominion of Canada." That is the crowning act of their career, and that is the greatest thing they have ever achieved during the last ten or fifteen years.

Hon. Mr. DAVID.—I desire to give in a very few words the reasons why I shall vote for this Bill and against the amendments, the effect of which would be to defeat the Bill either directly or indirectly. I regret that the Government has not judged it proper to improve the Bill by accepting the amendments which were moved by the hon. chief of the Opposition, amendments which I consider would have been an improvement; but the Government has refused, and now the question arises, what should the members of the Senate do? If I were a member of the House of Commons I would perhaps speak otherwise, but as a member of the Senate I have always expressed the opinion that the Senate should not intervene and defeat a Government bill except in very special circumstances, when very great principles are at stake, and when the members of the Senate are conscious that the acceptance of a Bill would be detrimental to the interests of the country. In all other circumstances I consider it the duty of the Senate to vote for Government measures.

Hon. Mr. CLORAN.—Hear, hear.

Hon. Mr. DAVID.—Now the first proposition is that we cannot amend the Bill be-

cause it is a money Bill. There was only one way to amend that Bill; it was through the amendments or suggestions contained in the amendments proposed by the hon. leader of the opposition, in order to try to induce the Government to accept those amendments. That was the only constitutional and legal way to have our ideas inserted in the Bill, but as I have said the Government refused. Now what should we do? There is only one course left to us, either to adopt the Bill or reject it. Well, must the Senate take the responsibility of rejecting such a bill?

Hon. Mr. CLORAN.—Postpone it.

Hon. Mr. DAVID.—Be quiet, if you please; you speak long enough and often enough to give a chance to another man I say that the Senate should not reject the Bill. Why? Because it has been affirmed by the leaders of both parties, by the leaders of the House of Commons, by the hon. leader of this House, that it was necessary to give aid to the company in order to avoid very serious financial consequences. Well, in view of that declaration made by the leaders of both parties, and by the leader of this House I say that the Senate would not be justified in rejecting a Bill which may entail such consequences. It has been recognized that in view of the financial conditions of the country the rejection of the Bill might aggravate seriously that condition, and affect the credit of the country. The rejection of the Bill will do no good and must do a great deal of harm. There is no doubt on those propositions.

Hon. Mr. CASGRAIN.—Yes, there is.

Hon. Mr. DAVID.—The Senate cannot take that responsibility without rendering itself liable to just criticism. There is no serious reason to induce it to take such a dangerous position. I shall sum up everything I could say in a very few words, and this is my conclusion to which I call the attention of my hon. colleagues; although the Bill is not what it should be, it is better to accept it than it is to reject it. The consequences of rejecting the Bill will be worse than the consequences of passing it. Of the two evils I chose the one which is less dangerous to the country and to the Senate.

Hon. Mr. BOSTOCK.—The hon. leader of the government last night gave us the answer of the government to the motion that was made in this house, pointing out the objections that were found to this measure. The hon. gentleman put it in in a few words. He practically said that the government had considered these questions before and did not see their way to altering the agreement. He made a great point of the government having taken stock in this company, and thought that by so doing they had made provision for the benefit of the country in the future, as the country would share in the prosperity of this road. The interests of the country and of this road are tied up very closely, and if the road is a success, and this agreement is a success, the country will be benefited to that extent, and we shall not be called upon to make good the guarantees for which we are now asked to stand. But the point was made in the first paragraph of this motion, that it is a very dangerous thing to tie the country up with the company in a minority holding and as a partner in the concern. The hon. gentleman laid down the principle that it would have been better, in the past, if the former government had made some arrangement of this kind, in what he was pleased to call utility companies—I presume for developing the industries of this country. It seems to me that is a very serious and grave policy to enunciate; and I do not know where an arrangement of that kind would stop. If we are to take stock in companies that are, as the hon. gentlemen terms them, utility companies, we can go on from one thing to another and would practically put ourselves in position of the country being closely interested in all the large enterprises of this country. That would be a very dangerous policy for any government to pursue. The government cannot be too careful about keeping the interests of the country and the interests of corporations or individuals in this way, distinct and separate, so that the country may know where the interests of the country lie, and where the interests of a company or corporation lie.

Hon. Mr. LOUGHEED.—Did the imperial government ever regret the purchase of its shares in the Suez canal?

Hon. Mr. BOSTOCK.—That has nothing to do with this question, because the whole situation was so exceedingly different. The principle involved in taking stock in the Suez Canal Company, was that the government of England at that time wanted to obtain an interest in that canal, which had a very great bearing on the shipping industry of Great Britain.

Hon. Mr. LOUGHEED.—This likewise is in the transportation interests of Canada.

Hon. Mr. BOSTOCK—Personally I do not see the connection between the two, because had Great Britain kept out of the Suez canal they would not have had the interest of handling the affairs of that canal in the way they have, and it might have had a great effect on the shipping of Great Britain, and the route connecting British ports with the ports of India. I do not think that those two are parallel cases. The Government dealing with this class of transportation in this country, should keep clear from tieing up the country in an interest in a transportation company, in the way they have done. I do not know that I need take up the time of the House by going over all the words of the agreement. The question has been so thoroughly discussed, and the points have been so clearly made that not only this House but the country generally must be fully seized of the whole situation as it stands at the present time. The hon. gentleman referred to the question of the securities, and he took I think exception to the item regarding the guaranteed securities exceeding $220,000, the land and other securities that this company had received. We have to bear in mind that in taking up this question of the guaranteed securities, we have to take into account not only the present time, but also the securities that these people can call upon the various governments to issue to them, as time goes on, and they further complete their work. There is quite a point for the government to very carefully consider in dealing with this matter, to what extent they are going to allow the lines which have been projected, on which so far no work has been done to be completed and how far they are going to allow this company to go on and complete or construct these lines until they see how this whole main line is going to work out. The difficulty at the present time that I see ahead of this arrangement, is very largely the fact that the earnings of the railways in Canada to-day are decreasing instead of increasing, we find that the more railway lines we build, the worse it is for the country. I would suggest to the Government that in handling this matter they ought to very carefully look into that whole question, and see that they do not allow any more railways to be commenced at the present time, until they have satisfied themselves that those lines are really required. The object, as I understand it is that this agreement is simply to complete the lines that are already under construction and put the whole system into a position that it can earn a return on the money already invested. The hon. gentleman in his remarks last night stated that he considered the Government in dealing with this matter, had been much more solicitous for the interests of the country in rying to make a good bargain, and to get the best terms that they can for the country in this arrangement than hon. gentlemen who have criticised this arrangement. That is very largely a matter of opinion. The Government should have made the very best arrangements that possibly could have been made. They had the information, as the hon. gentleman stated. They had at least two months to go into this question and examine it from all points of view. They had the opportunity of sending their officers to examine into the whole position of the company and to find out exactly the condition of the road, and therefore they ought to have been in a position to have made the very best bargain that could possibly be made under the circumstances. Therefore from my own point of view the only thing we can do at, the present time, inasmuch as the Government has announced to this House that they do not see their way to meeting the views expresesd by hon. gentlemen in this House, and amending this agreement along the lines suggested, is to allow the Government to proceed and carry out this arrangement and in that way accept the responsibility of their action. Personally I do not like the arrangement that has been made, but I consider the Senate would not be justified in interfering to such an extent with the policy of the Government of the day, as to throw out a measure of this kind and bring about a condition of things which might be very serious throughout the length and breadth of this country.

Hon. Mr. CLORAN—What puzzles me—and I think what puzzles the vast majority of the electors of this country—is the fact that the Senate of Canada no longer than three or four days ago, put itself on record by a vote of 34 to 22, that this bargain between the present administration of Canada and Mackenzie and Mann was practically a corrupt bargain and an unwise one, that Mackenzie and Mann were unfit persons to associate with in business transactions. That is a part of the plain language of the resolution moved by the leader of the opposition three or four days ago and carried by 34 to 22. Is that not enough to puzzle one—how three days ago they put

themselves upon record—and these resolutions were not the product of imagination or want of thought; they were drafted and redrafted, considered and reconsidered by the Liberal party in this House, and now, what do we find? We find certain Liberals dropping off, going over to the men they did not want to associate themselves with, or have the Government associate themselves with. What is the meaning of it all? The country is asking itself this question, and is puzzling over the situation. Where is the Liberal party going to? Have we lost our heads? Have we no direction to give to the people in this country in regard to the matter? Are we to allow the Government of the day to dictate terms to this House, without any criticism and without the right of opposing it. I was surprised and much puzzled to hear the Senator from Mille Iles give his adhesion to this Bill on behalf of Mackenzie and Mann. The hon. senator from Mille Iles is one of those who ought not to forget one episode in the political life of this country. There are some others, younger, who might not have known it, and probably if they did know it have forgotten it. Mackenzie and Mann in 1904, when Sir Wilfrid Laurier was at the height of his power and fame undertook to create a crisis in this country and a panic. They almost succeeded at the time. It was about this time ten years ago, during the general election of 1904, that these two men left their little offices and came down to the streets of Montreal and started the campaign on behalf of the Tory party. And how did they start it? They started it with an expenditure of one million one hundred thousand, right on the street. Where did they get that money? They got it out of the public money voted to them by this Parliament, by provincial legislation, and by municipalities in the Dominion of Canada. They went down with one million one hundred thousand dollars and as the first blow in the campaign they brought the strongest Liberal organ we had in the Dominion of Canada, with a circulation of over one hundred thousand, a paper controlling the entire French vote in Quebec. They went to the Hon. Mr. Virtue and said: 'Here we want an organ to fight the Tory battle in the campaign; how much do you want for your paper?' Virtue was a lucky man. He had two princes of finance to deal with. He did not ask them for coppers. He asked for his newspaper, eleven hundred thousand, and he got the cheque. Then the editors of these papers, who were staunch friends of the Liberal party, had to resign. One went to Europe and the other came to Ottawa, and the next day 'La Presse' with its tremendous circulation, with its tremendous influence at that time, was turned over to the tender care of Sir Hugh Graham, who was not a Sir at that time—he got the 'Sir' later, and Hugh Graham of the Star made La Presse an adjunct of the Montreal Star, one of the most bitter organs of public opinion during election time that can be read, except the Halifax Herald. They turned it into a Tory organ. That was the work of Mackenzie & Mann at that time. They were then building their railway and looking for subsidies, land grants and special privileges from every government, municipal, local and federal, and they turned all these forces against Sir Wilfrid Laurier's government, when Hon. Mr. Blair had left the cabinet. When Mr. Blair left the cabinet they thought that was their time, and they used the opportunity to its utmost. How much money they put into the 221 counties of the country at that time I do not know, but they were able to go to St. James street, to Hugh Graham and La Presse, and hand out a cheque for $1,100,000 and they must have kept something on the side for the counties elsewhere; and that out of public moneys, not out of their own fortunes. These men are clever. I agree with the hon. member from De Lanaudière in regard to that—they are too clever—and these are the men we are called upon to assist by the present legislation, men who drove the knife up to the hilt into the heart of the Liberal party with public money. What will they do when they get hold of $45,000,000? How much will go into the next contest—this fall or next year? I am not going to say that Mackenzie & Mann will come to Mr. White or Mr. Rogers or Mr. Borden and hand them a cheque for a million or two but their organizers and engineers are in every part of the country, and ten per cent. of that $45,000,000 will largely go to defeat the Liberal party. They would be fools if they did not do it, they would be worse, they would be ungrateful. The Government knows it, the party knows it, the party is counting on that support, and that is why I cannot understand how our old-time Liberals, like the hon. Senator from Mille Iles (Mr. David) can have the wool pulled over their eyes and ask Parliament to vote these two gallant knights $45,000,000 of which a good portion will be taken to cut our throats in the next campaign. That is what puzzles me, and is puzzling the

public. The Liberal party, as has been said by the hon. gentleman from Mille Iles, is not opposed to the grant of aid to any bona fide company trying to develop the resources of this country, or to any bona fide financiers, who when they make money do not stow it away in side companies. and take it out of the road making themselves multimillionaires, when 20 years ago they stood on the plains of Manitoba with scarcely a thousand dollars to their name. They are to-day quoted anywhere from ten to fifty million dollars. They could not earn that if they lived a million years, but they have got it, and they have got it in every kind of public utility—public grants, public lands, public franchises and so on. It is all in their name. The road is in their name. They own the by-companies. That holding company of which the hon. Senator from De Lanaudière spoke is their creature, and they own just enough stock to control the election of the directors and the guidance of its policy; and what do we find? We find in the Supreme Court to-day, men who are interested in that company to the extent of over a million dollars, have taken action to have them superseded and driven out of the office of that company on charges which amount to a crime under our Criminal Code, and these are the men that the present Government ask Parliament to entrust with $45,000,000 to expend in the next year. These are the men. I hold, because I feel it and I know it, being in touch with public opinion and the pulse of the people, that the country will not stand for legislation of this kind. As has been well said, if this company is in distress let the country come to its aid, but not with the light under a bushel; let light be brought on the situation; let a Royal Commission be instituted as was done in the Farmers Bank transaction with full powers to investigate the entire system from top to bottom, to investigate the entire holdings of Mackenzie and Mann, as drawn from the revenues of the Canadian Northern Railway system; and if we find that the road has been honestly administered—which many of our people doubt to-day—if we find that Mackenzie and Mann have not profited from the subsidies voted in the past, from the land grants or from other rights given to them by the different governing bodies of this country, if that is found then the country will say it is safe to trust them with this $45,000,000. Until that is done it is not right for the Government to come to Parliament and ask its members to vote $45,000,000 of the people's money to men under such clouds, and under such circumstances. You can take my word for it that if the Minister of Finance had to go to the tax-payers of this Dominion with hat in hand and say to each one, 7,000,000 of them, 'Mr. Smith, we have got two applicants for $45,000,000; they want to pay some of their debts and finish off their road; your share will be $6.50; how many in your family?' Mr. Smith replies, 'Well, there is only myself and wife.' 'Then your share will be $13.' Then he passes on to the next door with hat in hand, and he travels over the millions of tax-payers in this Dominion. He meets another poor man and asks how many he has in his family? 'Well, I have ten children and the wife, that makes twelve.' 'Seventy-five dollars is your share'—and this is a common labourer, a poor farmer away in a back concession. Suppose that Mr. White, the Minister of Finance, had to do that work to collect the $45,000,000, what would happen in this country? I do not know whether Mr. White as collector of that amount would ever get to the end of his journey; there would probably be a rebellion rife in the land. The rebellion does not take place because what is everybody's business is nobody's business, and Mr. White knowing that axiom and putting it in practice goes to the public treasury and takes $45,000,000 in bulk and hands it to Messrs. Mackenzie and Mann. People are going to understand the situation; they are going to understand the fact that if the road is in need of aid it should get it; but the people also understand the fact that the men at the end of the organization making application for this money are not worthy of trust, from known facts. The Senator from De Lanaudière quoted one incident where in the sale of 700,000 or 800,000 acres out of the 4,000,000 odd acres that they have got, they made $16,000,000 and their charges for selling that land were over $4.000,000. Don't you think people understand what that means? Where did $4,000,000 go to sell 700,000 or 800,000 acres at $15 or $16 an acre? People want to know the inside history of those transactions before handing out their good money to the amount of $45,000,000. Let it be well understood, as I have said already, that the Liberal party is not opposed to giving aid to a bona fide company and men of bona fide character, untarnished and unchallenged. The Liberal party in this House has its duty to perform in behalf of its principles and I

hold that the Conservatives on the other side of the House, feeling it to be their duty to support the Government in the present demand, it equally devolves upon the Liberals to oppose it, and not to rise on the floor of the Senate of Canada and say, 'Well, the Government will not accept our amendments or our propositions or suggestions, and all we have to do is to declare our utter impotency, or inability to cope with the national situation.' I would never make such an admission, never, because if I am here it is to criticize; to support if the Bill is all right, but if a Bill is not right to criticize it, and if possible amend it. If the amendment is not to be accepted, then it is in my power and in the power of the friends who are with me, to reject the Bill and throw the responsibility on the Government of having presented an unworthy Bill that cannot command the confidence either of Parliament or of the people. That is the proper view to take; never to admit in the face of a strong government that all the Opposition has to do when the Government refuses its suggestions or its advice is to knuckle down, or, as Lt. Col. Ouimet, ex-Speaker, once said, 'Get on your four legs and bow to the golden calf.' That is something I will never consent to descend to.

I stand here as one who is not ashamed of Liberal traditions, or Liberal principles, who is always ready to back them by fair argument, without exaggeration or false statement. I am not challenging the Government for giving aid; but I do challenge them for giving aid under the circumstances and under the clouds that cover all these arrangements between themselves and Mackenzie and Mann. As I understand, some of our friends take the same view that I do, and we may have an opportunity to place ourselves on record in line with the motion that was adopted by the Senate by a vote of 34 to 22 last Friday. I know that the stand I am taking in regard to this matter will have the approval of the vast mass of the electors and of the business men of the country, because a great many of them know of the evil influence of the Mackenzie and Mann system and the Mackenzie and Mann machinations. Many of them dislike the idea of the Government of Canada going into a subdued partnership with these men, to have the name of Canada trotted out through the money markets of England and Europe as being joint partners with the Mackenzie and Mann system,—the Mackenzie and Mann financiers who have to-day declared their inability to meet their indebtedness. That is the class of people with whom this country is asked by the present Government to go into partnership. I know, and there are senators on the floor of this House high up in finance who hold the same views and know these to be facts. They do not want this country to go into partnership with the Mackenzie and Mann people taking 40 per cent of common stock not worth the paper it is written on, and thereby becoming, as I call it, a subdued partner in the enterprise, but responsible for the doings of the company, making themselves in the eyes of the financial world both on this continent and on the other, responsible for the entire system. They are partners with Mackenzie and Mann, the owners of ten thousand miles of railway with $380,000,000 spent on the road, and as the hon. member from De Lanaudiere showed, earning little or nothing to pay interest on the bonds. Now that is a condition of things which the Government should not ask the country to accept and which no members of the Opposition in this House should call upon the Liberal party to approve. I for one protest against it, and I know that the country will join in my protest.

Hon. Mr. BOYER—I suppose if we spoke until Doomsday it would not make any difference in the opinion of any one of us; but there is one point that I should like to take up with the leader of the Government. He asked the question whether the British Government ever repented having bought shares in the Suez canal. If the bargain before us to-day came up to the thousandth part of the bargain made by John Bull, I would be ready to vote for it. I think it was in 1875 that Disraeli, then Premier of England, got a chance to buy from the Khedive of Egypt four million pounds of Suez canal shares. It gave Great Britain the right to have three directors on the Board of the Suez canal. If you will look at the quotations to-day you will find that those three million pounds of shares are worth fifteen million pounds. Of course we are a bigger country than England, but England only paid fifteen million dollars for a very valuable asset, while we are paying forty-five million dollars and not even getting a look in at the board of directors. If there was the ghost of a chance of this stock of forty millions that we are getting ever reaching par the bargain would be all right, but where is it to-day? It is not even quoted; nobody will have it. There is no comparison whatever between the two cases. England never repented and never will re-

pent. If it was possible for Canada to make a bargain similar to that made by England in the eighties, I would be the first one to say 'let us go in and buy all we can.' Again we are told of the dire consequences that will be entailed if the Bill should be rejected —that the good name of Canada would be soiled, is the expression used. I should like to know if lately, even within the last three or four months, Canada has not got all the advertising it wanted. First we have the unfortunate report on the National Transcontinental Railway, at a time when the Government was actually negotiating with Mackenzie and Mann to help them in the construction of this road, knowing that they would require to borrow money on foreign markets. They did the best they could to lower the credit of Canada by saying that we have built a useless Transcontinental Railway and that in building it we have wasted $40,000,000. And then we went further. An inquiry took place on the rates west of Winnipeg. The Commission sat and heard a great deal of evidence and at the most inopportune moment gave its decision, which will come into force only on the 1st of January next, that the rates are to be lowered. Not only was the credit of Canada affected, but the private fortunes of thousands of people who had invested money in railroads was immediately affected, and Canada got its second advertisement. Those things cannot possibly help the credit of Canada. We on this side of the House know our responsibility as to the deal that the Government is putting before us. If it will help Canada we are one and all with it, but we would have liked before sharing responsibility to be quite sure that this money would be applied as specified, that the road would be completed, and that it would be an asset worth the money. In the past it had been the policy of the House that one Transcontinental was sufficient for the trade of Canada. The late Government built a second transcontinental. The party at present in power opposed it with might and main, and the defence of those that built the road was that in 1884 and 1886 the building of the Transcontinental was then sanctioned by the people. After saying that one road was enough, and saying two was too many, we are actually subsidizing the third road to come into competition with a road that is supposed to be useless. What the result will be it is left for posterity to say, but I sincerely hope for the good and advancement of my country that the hopes and predictions of the company will be realized, that it will boom Canada out of the slump, and that we will hear no more of the Canadian Northern Ry Co.

Hon. Mr. DANDURAND—It is generally agreed that this railway system, the Canadian Northern, is in need of help, and that the only power which can come to the rescue is this Parliament. The measure which is presented to us is most unsatisfactory to me, because the situation of the Canadian Northern railway is not made sufficiently clear. I am not satisfied that the safeguards surrounding this guarantee, will ensure the completion of this railway system. In my opinion the Government should have provided for a greater control over the expenditure to be henceforth made by this company. The appointment of one director is no safeguard, the Government should at least have insisted that a first class engineer and a competent accountant be selected for the proper supervision of the works to be prosecuted, on behalf of the public. This measure is before us, and the Senate has no control over the conditions surrounding the grant. We can reject but must not amend; we can destroy but we have no power to construct. These are our limitations. The responsibility rests with the Government, and my duty is not to substitute myself for the men at the helm, and take their load upon my shoulders. The effect of the rejection of this measure may be considerable and detrimental to Canada. I do not intend to vote to defeat it, but at the same time I do not intend to help it with my vote.

The House divided on the motion which was carried on the following division.

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The bill was then read a second time.

Hon. Mr. CHOQUETTE—According to the notice I gave I beg to move:

That, after the second reading of Bill No. 214, 'An Act respecting the Canadian Northern Railway System,' he will move that the said Bill be referred to the Standing Committee on Railways, Telegraphs and Harbours, and that the said Standing Committee on Railways, Telegraphs and Harbours be and are hereby empowered to send for such persons, papers and records, as may from time to time be required by the said Committee for the purpose of affording evidence under oath, as to any matter arising out of the examination by the said Committee of the Bill from the House of Commons, (No. 214) 'An Act respecting the Canadian Northern Railway System,' and that the said Committee be and are hereby authorized to employ a shorthand writer for the purpose of said examination, and also legal advisers and counsels and railway experts, if necessary.

As I said on another matter yesterday, it is so late in the session—a fact which is most regrettable—that I do not intend to impose on the House a speech even on this very important matter; but I cannot let this matter go without a making a few remarks. As I said yesterday, and I repeat it to-day it is most unfortunate that bills of this importance—pledging the credit of the country for $45,000,000 in a lump sum to-day, and perhaps for just as much later—should be brought up in the very last days of the session and railroaded through this House. The other day a vote was taken by members of this House in which they declared that this bill is adverse to and does not properly safeguard the true interests of the country; that we are going to sanction the issue of $125,000,000 of water stock, which is immoral in its nature; that it does not appear that this advance will insure the completion and operation of the Canadian Northern Railway system; that we have no evidence that Sir William Mackenzie and Sir D. Mann have not directly or indirectly enriched themselves through the building and financing of the Canadian Northern Railway system; that valuable land which may be used for townsites or other purposes which has been given to them, acquired by the Canadian Northern Railway system, and important enterprises connected with the system, are not connected with the securities offered. I am just giving a resume of the eight or nine good reasons for which the other day all the Liberal members of this House—I call them Liberals because it was understood that they voted that way at that time—that members of this Senate to the number of 34 voted declaring that for all those reasons the bill being adverse to the good of the country, and about nine or ten other good reasons—they could not vote for the bill. Now they turn around and say, 'Well, it is true, you pass an immoral bill, a bill contrary to the better interests of the country, making a contract with men in whom you have no confidence, who have taken away from the bargain the best part of their revenue, but in spite of that, like Pontius Pilate, we wash our hands and let you make your bargain with those people.' Sir, I cannot but come, for the present, to any but one conclusion—that Mackenzie & Mann are stronger than the Government.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. CHOQUETTE—They are stronger than many members of this House, stronger than local legislatures in many of the provinces; and so we are obliged to let the treasury open, and say to those gentlemen, 'Take all you want, help yourselves, you are the masters of this country.' There is no other country that would permit that. Sir, when I am speaking in this way I am not speaking as a Liberal; I am speaking as a man whose conscience revolts at such a thing before this House, as one who is sad to see such a comedy, especially in the Upper House of this country.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. CHOQUETTE—What are we here for, Sir? We have been voting to prevent depositors in the Farmers Bank from getting money because there was a bad principle involved, we have been voting against Bills providing money for roads of this country, because the Bill embodied a bad principle; we have been voting against giving $35,000,000 of the money of the people of this country; and now come two men who are millionaires who say, without

any proof, 'we are broke, we have no more money; the banks won't advance us any more money; you people of this country, the governments of this country, you Senators, let us have $45,000,000, and we will be satisfied.' That is what we are doing. Now all those measures which were thrown out here were not treated so as the result of partisanship; I do not believe that any man acts as a partisan here; but we acted because we thought that the country was being robbed, that the measures were bad —though not as rotten as this one—that measures were immoral—though not as immoral as this one. Yet we will not ask the opinion of the people before giving away the money of the people of this country. Although this measure has been already condemned by members of this House, we see those very members now standing up voting for it; and why? Because they say, 'We have not the responsibility of the country in our hands.' When they voted against the $35,000,000, when they voted against the million dollars for roads, when they voted the ten million dollars for agriculture, had they any responsibility then? Sir, one of two things, they were sincere then, or they are not sincere now. They have much more responsibility to-day than they had then. It is the comedy—to stand up as my hon. friend from Delorimier and say, 'I won't vote either way, but the measure is bad, it is wrong, but I am going out, I will run out and won't take my share of the responsibility.' This very measure is passed here by us, without having responsibility, they say. But I ask, can a measure be passed before we pronounce on it? That shows that we have the power; and, Sir, when the time comes for its use, if they do not exercise it, it is because those who are asking favours are stronger and have the power. When I came to this House ten years ago I thought I was standing for a principle—that it was not just for an occasion, just for one day, or one week, but that it was for all time to do my duty—I repeat that when men have been standing up, condemning a measure as rotten, as immoral, as going into partnership with thieves, I cannot understand the same men standing up and saying, 'All right, we will vote the money,'—perhaps indeed with the hope that they will share it with them. It reminds me of a little incident, although I do not wish to institute a comparison. A good friend of mine, a Liberal, said, 'Do you see that man? He is a thief; I should send him to jail.' His friend said: 'Why don't you do it?' He replied, 'Because I will have to go with him.' I do not like this legislation, but the people in the country will ultimately pass judgment upon it. If there is a member of this House who could go on the hustings and attack the Government, and read the speech of the leader of the Opposition, showing the amendments that were proposed in another place, he might well be asked: 'How is it that when you were in the House, and said that this was a bad measure, you did not stand up and vote against it?' What could he answer? The electors would say, 'Either you do not know what you are doing, or you are in partnership with the man who takes the money.' I have had some experience of elections and I am here attacking the position of the Government and am saying they are doing wrong in giving this money to Mackenzie and Mann;

I am trying to protect the treasury of this country. I have been told that in speaking as I do, I am working against my own interest—that I should support this measure. I do not care what may be the outcome of this, but I cannot go back on the Liberal principles that I have advocated in this House during the last two years, and in the other House. When any measure is corrupt and degrading and against the interests of this country I am opposed to it, here and everywhere. I cannot understand how any one in whom I have confidence can say that the Bill is bad, but that he must swallow it and give our public money to these men. Such a view confesses that Mackenzie and Mann are more powerful than Parliament. It concedes that the local legislatures that support this measure are stronger than Parliament, and because these men have been masters of some of the local governments we should stand by them, or be taken to task if we act otherwise. I am sorry to be obliged to speak as I am speaking, but I am responsible for any mistake I may make. It is worth living to stand here as a Liberal of the old school fighting immorality instead of going on and defending what I believe to be wrong. We have been told by the hon. gentleman from Delorimier that the deal is a bad one; that he was against it. Then he said, 'I won't vote for it, I won't vote against it, but I will run out.' I leave to this House and to the country what that means. He added that if we did not pass the measure, there might be a crisis in the country, because these men have no other recourse but to come here. Is it contended that when men get in financial difficulties they have no re-

course but to come to Parliament? Would these railway directors come to Parliament unless they were masters of the Government? We have seen the other directors of other corporations fail, and we have seen banks fail. Had they no recourse but to come to this House? Was that course adopted in the case of the Baie de Chaleur Railway, which my hon. friend (Mr. Casgrain) spoke of this morning? It was a good thing that that road was put in the hands of a receiver, and it would be a good thing, in this case, if a receiver were appointed to take the money which is owing to the Government. The hon. gentleman from Delorimier is supposed to be somewhat of a leader, to have a great, conscientious respect for the public good, but when it comes to show that respect he takes the door and retires. It is an absolutely wrong principle that men who are millionaires, who have apparently never put a cent of their own money into this road but have been drawing money by millions from the corporation, should be permitted to come to this House, and obtain relief in this way. My hon. friend from DeSalaberry made a very clever speech, he said there would be no crisis and no calamity, simply two men will fail. Supposing this railway went into liquidation or stopped work for a year or two, the part which is in operation would be continued. The stoppage would be a good thing because at present the road is losing half a million a week. What will be the use of this transcontinental? We will have three transcontinentals next year, and they will starve in a few years. To-day we have only one which cannot make a living, but is losing half a million every week, and with the diminution of the rates by the judgment rendered by the railway commission, I say, that before ten years perhaps, none of these roads will be able to make money. One might make money, but three will be starving; this road will starve and fall into the hands of receivers. With reference to the credit of Canada, we all know the Government is borrowing too much. What do we read in the last report of the London Times? Apropos of the $500,000,000 that the country has borrowed, the Times, one of the best papers of London, said:

> The time is very badly chosen by the Government to place a new loan on the market.

The Times went on to say that Canada is passing through an economic crisis, that the recent loans are too numerous and too considerable not to cause overseas capitalists to question them. So we see, the fact of Canadians borrowing recently, has decreased the credit of the country. What will the financiers say as to this borrowing? We are not merely borrowing five millions for this country, but we are pledging our credit for $45,000,000 for the present and perhaps a hundred millions more in the future. That will be the position. Again I repeat, I cannot understand the position taken by those who, after having condemned in the strongest terms this agreement, rise in the House and vote for it. We are told by friends of the Government that they have made a good bargain. They have to concede that to those who put them in power, and they must have their pound of flesh from them. I understand the position of those who are friends of the Government doing that, because they are simply fulfilling their election promises, but I cannot understand men of common sense, after having taken the stand on this public question that they took last session, and also on Friday last, turning around and changing their coat so quickly. Those who vote that way will be the laughing stock of the Liberals. Look at the Montreal Gazette of yesterday where you will find an article headed 'The Liberal attitude.' I do not see how a man could read that article and turn around and pass over to the other side, and vote with them on this measure. As to the bargain itself, I just wish to make a remark and a comparison. My hon. friend from De Lanaudière spoke of the four million security Mackenzie and Mann gave to the Government—security of the Quebec-St. John railway. I know what it is personally, as I am a director representing the Government of Quebec on this railway. I have been such for ten years, and for six or seven years we could not have a meeting, we could not know what was going on, and we could not receive an answer to our letters. The mayor of Quebec is a director ex-officio of this railway, because the city of Quebec gave a large subsidy of money. In this case too, we are asking for information, but receive none; they seem to laugh at us. By this agreement they put one director on the board. We all know that the four million dollars stock is not worth four million cents. Further, I may say that the parties who were responsible for throwing down the Quebec and St. John railway were Mackenzie and Mann. They went to London and attacked J. G. Scott, one of the best men in Quebec; they tried to get this railway. They went to London and depreciated the stock, and threw him down, and later

on, after investigation which was held at the request of Mr. Scott, they had to apologize to him. They did not care then for they had the railway in their hands. In this case they do not care what we say to them; they laugh at us, for they will get the money. The horse will be stolen and the Senate will shut the door afterwards. As has been stated this morning all the worthless assets of the company have been given to the Government as security. But if the company has good assets, like the Montreal Model City, and property in different parts of the country, they take good care not to include it in the mortgages. Now the motion which I submit, if adopted, will not have the effect of killing the Bill. Some of our friends are so afraid of killing the Bill that they do not want us to speak against it. Those who voted for this measure were sincere, or they were not. If they were sincere they did not know much about it; they can have no objection therefore to demanding an investigation. I may be told that we are near the end of the session, and the investigation might take weeks or months. That may be, but we are paid to be here, and it is not our fault if this Bill comes to us at the end of the session. Our friends who accuse the Government of making a bad bargain, should not hesitate to vote for my motion, which simply calls upon Mackenzie and Mann to come here, and make a full disclosure of their affairs. If they can convince me that everything is right I shall support the measure. I voted against the Bill as it is, but I did so under reserve, with the intention of asking for an investigation. If I find that I was mistaken, and that the rejection of the Bill would bring on a crisis in the country, and destroy the credit of the Dominion, I shall support the Bill. The Government have made an investigation of their own, and they say that Mackenzie and Mann's affairs are all right. If that is so, it is all the better for the Government, and they will not injure themselves by giving us an opportunity of investigating the affairs of this company. But if the statements that have been submitted to us are not true, what is the responsibility of those who are backing up Mackenzie and Mann by voting for this Bill, which they admit is corrupt, and immoral, and against the interest of this country? It is all very well to say that we are not responsible. What are we here for if not to oppose that measure? If we are not responsible for our acts, then abolish the Senate and save the country half a million dollars a year for its maintenance. If we are here to do justice to, and to pass judgment on measures submitted to us, it is a crime for those who have admitted that this Bill is bad in principle to yet wash their hands of it. That is not the way I understand my duty. If a neighbour came to me and advised me not to associate with a certain person because he is not honest, and not to endorse any papers for him, because he could not do the work he pretends to do, and if next day I found that man in partnership with him, I would say the neighbour was either a fool or dishonest. That is an illustration of the way I view the subject. I repeat I cannot understand why men in whom I have great confidence should vote for a Bill, of which they do not approve. I cannot understand why a member should vote for the Bill in order to save the people of his own province. I am in earnest, I think I am right, when I find somebody is trying to deceive me; being of a nervous temperament, I sometimes use language that is not suitable in this chamber. When a man feels strongly on any question he may go farther than he intended in expressing himself, and use language which he should not employ; yet, I do not withdraw one word of what I have said. After all, my views are there; my vote is there; my conduct will be the same to-day as it was last Friday. My conduct on important questions of money like this, will be the same this year as last year, it was against my friends four years ago when I took a different stand on a most important question in which I thought that the people ought to be consulted. I think they ought to be consulted on this very question also. But having said so much, I beg to move, seconded by the Hon. Mr. Jaffray, the motion which I have just read.

Hon. Mr. JAFFRAY—Before that motion is submitted, in seconding it, I desire to say that I have, for personal reasons, taken very little part in the discussion of matters coming before this House; but I consider this one so important, in fact I look upon it as the most important matter that has ever come before parliament—

Hon. Mr. CASGRAIN—Hear, hear.

Hon. Mr. JAFFRAY—that the results of it are of the very greatest importance for the future of the country. It is for this reason that I now rise to speak. Of the different reasons given against this motion by the hon. leader of the Opposition, I considered that any one of them was strong

enough and important enough to have induced the Senate to refuse the passing of this Bill; but there is one point that I consider of more momentous importance, more dangerous and far worse than any other, and that is the Government entering into partnership with the Canadian Northern railway, or virtually with Mackenzie and Mann. Upon this I shall address the few remarks I propose to make. Canada has already furnished public aid to the extent of $280,000,000 towards this enterprise, and we are now proposing to furnish $45,000,000 more, with an additional interest guarantee for three years on this $45,000,000, making a net total of approximately $330,000,000. Under the partnership, Canada practically endorses the note of Messrs. Mackenzie and Mann for all outstanding obligations of the Canadian Northern railway and its subsidiary companies, both present and to come. Including the $45,000,000 bond guarantee, these obligations already amount to $352,000,000, or practically to $40 each for every man, woman and child in the country.

Hon. Mr. CASGRAIN—Hear, hear.

Hon. Mr. JAFFRAY.—Mackenzie and Mann remain the controlling partners in the enterprise, with the right to create new obligations, and with the opportunity, if they so desire, to step out at any time, taking with them any profits they have made. I would like just to quote here the opinion given of the men, not by Liberals, not by this side of the House, but by those who support the government and who are considered good and reliable supporters of the Government. Mr. R. B. Bennett, M.P., says:

> That was the beginning of the career of two men, if not three, that challenges its parallel in the history of the world. I appeal to every man in this House that if he will take the time to read the history of the operations of Mackenzie and Mann from that time until now he will find nothing but a long train of parliamentary corruption, of lobbying, of degredation of Parliamentary institutions, of the lowering of the morals of public life, and the degrading of those standards by which public life should be truly measured.

Now, gentlemen, it is with men, described in that way—and I have heard nothing in answer to the charge made against them—that the Government of Canada is to go into partnership. Apart altogether from the conditions of the partnership, there is the outstanding objection against the political and economic danger of a partnership at all. The ground ought to be taken that if the road is to be saved from the insolvency and receivership at the present time, and from the financial chaos which it is claimed might follow, the relations of the Government with the company ought to be those of debtor and creditor rather than those of junior and senior partners. I am not objecting to lending the people's credit, if necessary, to the company under conditions as equitable as possible in order to insure the completion of the system, but I strenuously object to the principle of plunging the people still more deeply into the obligations of a partnership, making them, before the eyes of the world, morally responsible for the company in all things. The dangers of partnership under the conditions agreed to by the Government are obvious. Canada is to hold $40,000,000 of the capital stock in a company now capitalized at $125,000,000. Now, let us just think of this $125,000,000 of water, without a dollar of value, having been really put into it. It is one of the most immoral transactions possible. If it were a business transaction, we would everyone of us condemn it, and we certainly should condemn it ten times more when it is being done by the Government, when such an example is being set to the people of the country.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. JAFFRAY—The control of the company is left in the hands of Mackenzie & Mann, the men whose inordinate ambition and complicated financing brought about the present insolvent condition of their enterprise. The partnership is forced upon the people without any adequate investigation into the physical character of the road, into its possibility of meeting fixed charges from net earnings, or into the economic soundness of the subsidiary enterprises. The stock which the Government receives has no value. It cost Mackenzie & Mann nothing to create it, and it represents not a dollar actually invested by them. The $75,000,000 of stock left in the hands of Mackenzie & Mann has value only because of the public credit extended. Without Government aid at the present time the whole fabric would collapse. In that case all the stock would be wiped out in the process of liquidation. Under the circumstances the Liberals in Parliament should take the view that the better course would be to pledge the stock of the company merely in the usual manner as security between debtor and creditor. In this way whatever value the stock has as security, if any to the Government, would be as favourably utilized as under the conditions imposed in the agreement brought

down by the Government; and the Government would thus avoid all the obligations and dangers of a junior partnership—without having any effective control or check on the senior partners and without the necessity of standing sponsor for everything they may do. It is probably the first time in the history of legislation under responsible Government where a Government has gone into partnership with a great private concern, without insisting that under that partnership the people should have the controlling voice. It is wrong in every way that this measure should be passed without a thorough investigation. If the statements that are made are correct, then there should be no fear of the investigation.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. JAFFRAY—If the country becomes satisfied that Mackenzie & Mann have done right and are doing right, and are the men to continue in the management of this enterprise the people will be satisfied with it, but I do not believe there is anyone, either in this House or out of the House, who believes that those men have done right by the country, who are satisfied that Mackenzie & Mann are the proper men to whom to hand over this large amount of money, with whom to go into partnership and undertake such heavy obligations as we are now undertaking. I am sure I feel perfectly certain—and I am sorry that it should be so, I hope I am altogether wrong—but I do not believe that there is a man within the walls of this House who has voted to pass this measure but who sooner or later will be sorry for the vote he has given.

Hon. GENTLEMEN—Hear, hear.

The House divided on the amendment which was rejected on the following division:

Contents 20; non-contents 35.

Contents:

The Honourable Messieurs

Beith,	Jaffray,
Boyer,	Kerr,
Casgrain,	Lavergne,
Choquette,	Legris,
Cloran,	Montplaisir,
Dessaulles,	Power,
Farrell,	Ratz,
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Non-Contents:

The Honourable Messieurs

Baird,	Lougheed,
Bolduc,	MacKeen,
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Boucherville, de	McCall,
Bowell (Sir Mackenzie),	McKay (Cape Breton),
Corby,	McHugh,
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David,	Murphy,
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Donnelly,	Smith,
Edwards,	Talbot,
Frost,	Taylor,
Girroir,	Thibaudeau,
Gordon,	Watson,
Jones (Sir Lyman),	Young.—35.
LaRivière,	

The motion for the 3rd reading of the Bill was carried on the same division reversed.

THIRD READING.

Bill (213), An Act to amend the Dominion Lands Act.—Hon. Mr. Lougheed.

NATIONAL TRANSCONTINENTAL RAILWAY ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a committee of the whole on Bill (224), An Act to amend the National Transcontinental Railway Act.

(In the Committee.)

Hon. Mr. BOSTOCK—Can the hon. gentleman state for the information of the House when it is proposed to make this change?

Hon. Mr. LOUGHEED—It is expected that the road will be practically completed—that is for the operation of trains—this coming autumn, and before the next session of Parliament, and furthermore it is desirable that we make provision in the interim should the present commission resign or retire from office, that automatically it should pass over to the Department of Railways.

Hon. Mr. BOSTOCK—That would be the road from Quebec through to Winnipeg?

Hon. Mr. LOUGHEED—Yes, from Moncton if necessary.

Hon. Mr. BOSTOCK—And the arrangement will be made with the Grand Trunk.

Hon. Mr. LOUGHEED—And if the Grand Trunk railway will not take it over the Government in all probability will be called upon to operate it until such arrangements are entered into by which the Railway Department will take it over.

Hon. Mr. WATSON—Is it suggested that the road will be better operated by the Railway Department than by the Commission?

Hon. Mr. LOUGHEED—Under the agreement between the Grand Trunk Pacific and the Government as preliminary to taking over of the National Transcontinental it will be necessary to enter into the lease, and necessary to enter into all arrangements which will have to be discussed and determined upon before it is taken over, so consequently considerable preliminary work will have to be done in that way before it is taken over by the company. In the meantime it will be operated by the Government. There is quite a demand on the part of the people who are living along the line, and who require all the conveniences and accommodation that can be given by means of transportation that the road should be operated, and in all probability the Government will operate it.

Hon. Mr. WATSON—Will the hon. gentleman tell me as to what the cost of reported changes in the grade is. It is claimed the Government undertook to grade the road, and I think the general manager of the Grand Trunk railway, Mr. Chamberlain, notified the Government that the grades were not maintained, that the Grand Trunk railway would object to take the road off the hands of the Government.

I observe a paragraph in the Free Press to-night commenting on the action of the Commons where Mr. Reid stated:—

> The Government has decided that momentum or sag grades on the Transcontinental railway east and west of Cochrane must be eliminated and the road restored to the standard intended by the late government.

Is that for the purpose of getting the Grand Trunk railway to carry out their contract? A good deal of criticism was made about the degrading of the road, and it was claimed by the Government they were not degrading the road, but it is now admitted by the Minister of Railways that they are going to make the road up to the standard as laid down by the late Government.

Hon. Mr. LOUGHEED—I can not give my hon. friend any information on that at the present moment.

Hon. Mr. WATSON—Does the hon. gentleman know, as a member of the Government, that the Grand Trunk Pacific Railway objected?

Hon. Mr. LOUGHEED—The question has not come up for discussion at all. The Government on the one side and the Grand Trunk Pacific on the other have not entered upon any discussion as to whether it should be taken over, or why it should not be taken over. The Grand Trunk Pacific is waiting for the completion of the road before doing so.

Hon. Mr. WATSON—Evidently the Government have come to the conclusion that they must bring the road up to the standard as laid down by the late Government before the Grand Trunk Pacific will take it over.

Hon. Mr. LOUGHEED—Not necessarily.

Hon. Mr. WATSON—After all that has been said about economizing by momentum grades, it seems strange that the Government should be changing the grade now. I am also informed that the Grand Trunk Pacific will insist on the Government relieving them to the extent of $40,000,000, as it is claimed by the Government's own commission the road has cost that much more than it should. That is a case of chickens coming home to roost. The Government's political campaign document is going to cost this country a lot of money for the purpose of casting a reflection on the late Government and its methods of doing business. They appointed a commission which made a report that was used for campaign purposes—was used in fact before the report was submitted—stating that the road cost $40,000,000 more than it should, and it seems to me that they have furnished an argument to the Grand Trunk Pacific Railway for being relieved of that amount, and I am informed that the Grand Trunk Pacific insist that they be relieved to the extent of $40,000.000.

Hon. Mr. LOUGHEED—My hon. friend may have information that the Government does not possess. All I can say is the Government has not been apprised of such a fact.

Hon. Mr. BOSTOCK—Is not this road being operated between Fort William and Winnipeg?

Hon. Mr. LOUGHEED—That part I believe belongs to the Grand Trunk Pacific. A portion was being operated by the Grand Trunk Pacific for a time and I think a portion is being operated by the Government.

Hon. Mr. TAYLOR, from the committee, reported the Bill without amendment.

The Bill was then read the third time and passed.

POST OFFICE ACT AMENDMENT BILL.

Consideration of Commons amendment postponed.

The order of the Day being called:

Consideration of message from the House of Commons disagreeing to the first amendment made by the Senate to Bill (47) An Act to amend the Post Office Act, and the motion of Senator Lougheed that the Senate do not insist on the first amendment but that another amendment be substituted.

Hon. Mr. KERR—I ask that the order be allowed to stand until to-morrow. I have had telegrams from parties who are coming down to make statements as regards this legislation.

Hon. Mr. LOUGHEED—The coming down of parties from Toronto cannot affect the situation in any way, because we must dispose of it to-morrow morning. We have given every opportunity to gentlemen from Toronto to make representations to the committee, and we certainly do not propose to go back to the committee again. However, I shall let the order stand.

Hon. Mr. KERR—The gentlemen interested have a large stake in the matter, and are anxious to be heard.

The order was postponed until to-morrow morning.

It being 6 o'clock, the speaker left the Chair.

AFTER RECESS.

The SPEAKER took the Chair at eight o'clock.

GRAND TRUNK PACIFIC RAILWAY GUARANTEE BILL.

SECOND READING.

The Orders of the Day being called—Second reading of Bill (226), An Act to authorize the guarantee of Bonds of the Grand Trunk Pacific Railway Company.—Mr. Lougheed.

Hon. Mr. LOUGHEED—This is a Bill to authorize a guarantee of bonds of the Grand Trunk Pacific Railway to the amount of three fourths of $16,000,000, this being the amount which has been estimated as necessary to complete the mountain section of the western division. In explanation of the application which has been made by the Grand Trunk Pacific Railway company to the Government of Canada for this guarantee I might preface what I should like to say upon the subject by referring to the earlier agreements between the company and the Government of Canada, owing to the fact that a difference has arisen between the Government and the Grand Trunk Pacific as to whether the Government of Canada can be called upon, at this particular time, to meet what the company alleges is an obligation which should be met by the Government. In 1903, as hon. gentlemen will remember, the first legislation was placed upon the Statute book respecting the building of the National Transcontinental system. Under that legislation, and as set out in the agreement, the Government of Canada agreed to guarantee three quarters of the cost of the mountain division—I shall make no reference to the prairie section—which guarantee was not to exceed $30,000 per mile, the balance, whatever it might be, would be guaranteed by the Grand Trunk railway. That agreement was amended in 1904 and enlarged to the extent of the Government of Canada agreeing to guarantee three fourths of the cost of the mountain section, no matter what that cost might be. In addition to that guarantee of three quarters of the cost, seven years interest was to be paid by the Government without recourse, and after that three years interest was to be added to the indebtedness, recourse being had for this latter by the Government to the Grand Trunk Pacific and the security which they had taken to secure the guarantee into which they then entered. There was also incorporated into legislation what was known, or came to be known afterwards, as the implementing clause, providing that the Government should make good the difference between the par value of the securities issued, and what those securities would realize in the market. As hon. gentlemen will remember, a dispute took place as to the interpretation of the implementing clause, which was ultimately decided by the Privy Council, and the contention of the Railway company was sustained. It was provided under the earlier legislation that interim bonds should issue, so as to permit of the company financing their undertaking until the completion thereof, and that, upon the completion of the undertaking, fifty years bonds should be issued. Before 1905 it was ascertained by the company that this proposal to issue interim bonds would not be feasible, so far as their financing the undertaking was concerned. It was difficult, in fact impossible, to

market those bonds. Consequently, in 1905, an entirely different arrangement was entered into between the railway company and the Government. That arrangement provided that an estimate should be made between the company and the Government as to the amount which would be necessary to complete the western division. That amount was fixed at fourteen million pounds, and a mortgage was accordingly entered into and executed between the Government and the company providing that the Government of Canada should guarantee the security to the extent mentioned, plus the seven years interest to which I have before referred, without recourse against the company, and plus the three years interest, for which recourse should be had against the company. This mortgage, at that particular time was regarded by the Government of Canada as in substitution of the agreement which had been entered into previous to that time, and was to be accepted according to the understanding of the Government, in lieu of any undertakings which then had been entered into between the contracting parties. The company proceeded with their undertaking, and within the last year, I think I may say, the attention of the Government was directed by the company to the fact that the amount determined was not sufficiently large by sixteen million dollars to complete the enterprise. The position was taken by the company that this mortgage was not in substitution of the agreement that had been entered into, but was an arrangement entered into between the two parties for the purpose of more conveniently financing the undertaking, inasmuch as it permitted the company at that time to issue debentures for 57 years, the seven years being the seven years without recourse to which I have already referred. Those debentures were negotiated, the proceeds realized upon, and presumably duly expended upon the road. During the present session of parliament the company insisted that the interpretation they had placed upon the mortgage containing the agreement, was that it in no way superseded the previous agreement as defined by the Statutes of 1903 and 1904, while on the other hand, the Government asserted that it was in discharge of all their liabilities. The position taken by the Government was that, under the earlier legislation, the Government of Canada was to have a first mortgage to secure the guarantee into which Canada had entered, and accordingly the first mortgage was given, to the amount of the fourteen million pounds. This was not sufficient to complete the road and after the mortgage was entered into subsequent charges were placed upon the road by the company, notably four charges: one for the guarantee of the Grand Trunk railway; one being for a loan of ten million dollars which was made by the Government of Canada, in 1909; the third being for rolling stock equipment furnished by the Grand Trunk Railway Company, or of which they were the guarantors; and the fourth charge being for $15,000,000 representing a loan which the Government of Canada made to the Grand Trunk Pacific, during the last session of Parliament. Hon. gentlemen will also observe that thus the position of the company was so materially changed by reason of their own acts, after the first mortgage was entered into, that they were precluded from carrying out the provision of the earlier legislation, by giving to the Government of Canada the first mortgage upon the property of the company, to secure the $12,000,000 which they now demanded. The Government cited this as evidence of the fact that it could not have been the intention of the parties that the obligations under the earlier legislation should have continued, because the Grand Trunk Pacific Company deliberately, of their own motion, placed themselves in a position, by giving those subsequent mortgages to the Grand Trunk railway, and thus precluded the earlier agreement being carried out in its entirety, and the security being given to the Government of Canada as required by that legislation. It therefore became a question between the two parties, namely the Government and the Company, as to whether the courts should decide the validity of their claim, or whether the matter should be discussed on the basis of negotiation and compromise. The contention of the Company was not only that which I have pointed out, but the further contention was advanced that notwithstanding the subsequent charges which they had placed on the road, thus precluding the Government getting the security which was contemplated by the earlier legislation, that the implementing clause came into play, and the Government of Canada was liable, under that clause, to make good the difference between the fourteen million pounds sterling, and the actual cost of the mountain division. That is to say, they advanced the contention that the Government of Canada, under that implementing clause, could be called upon to implement

that cost by $12,000,000. I must say that they submitted to the Government the advice of eminent counsel in Canada and that of probably the most distinguished counsel in Great Britain, not perhaps with the same degree of confidence and certainty that counsel will very often give expression in stating an opinion upon a question involving doubt, but maintaining that there was every ground for the contention of the Company that they could invoke the implementing clause to the extent required to complete the undertaking. In answer to this the Government of Canada proposed that a reference should be made to the Supreme Court of Canada and, if necessary, to the Judicial Committee of the Privy Council. The answer of the Company to this was that while they had every confidence in the contention which they advanced as to the interpretation to be placed on the agreement with the Company, it would involve a delay of at least two years which would necessitate the disbanding of their construction plant upon the work, thus rendering the very large amount of money which had already been placed in the enterprise unproductive on account of the cessation of the work. They therefore proposed to consider a proposition which might be made by the Government to overcome the difficulties which seemed to confront them. The Government therefore proposed to guarantee securities to the amount of three fourths of the amount required to complete the enterprise, namely $12,000,000 on a basis of four per cent interest on account of money being dearer to-day than it was when this legislation was enacted, and instead of the Government being liable on the implementing clause as to the marketing of the security, that the implementing clause should not operate against this guarantee; and furthermore, that the Government should not be liable for the seven years' interest. The proposition therefore is this, that the Government of Canada propose to guarantee security to the amount of $12,000,000, to take security upon the road, the interest to be four per cent, and that there shall be included three years' interest which will permit of the completion of the enterprise, and its being placed, probably by that time, on an earning basis, —the three years' interest to form part of the principal and to be included in the security given. This is the purport of the Bill. It is a matter of satisfaction to the Government that they have been able to enter into what they regard as an advantageous arrangement, under which they will be released from any doubts which might arise as to the operation of the implementing clause; also, it gives the Company the advantage of one per cent in the selling of their bonds as hon. gentlemen will perceive that the earlier guarantee was entered into on a basis of three per cent, It furthermore gives to the country the advantage of non-liability for the seven years' interest on this amount, which likewise will be a very substantial amount. Under those circumstances the Government feel every confidence in presenting to parliament this proposal, and asking that legislation should be accordingly given them to authorize them to enter into the guarantee.

Hon. Mr. CASGRAIN—Will the Government leader explain again how 4 per cent is an advantage to the Government?

Hon. Mr. LOUGHEED—The bonds of the company will realize more.

Hon. Mr. CASGRAIN—To the Government?

Hon. Mr. LOUGHEED—No; the debentures shall bear interest at the rate of 4 per cent.

Hon. Mr. CASGRAIN—What does the Government gain by that?

Hon. Mr. LOUGHEED—So far as the implementing clause is concerned, the Government will be released from the implementing clause. The company will have the advantage of the proceeds being larger than if the bonds were issued at 3 p. cent.

Hon. Mr. ROCHE—Will the 4 per cent debentures sell at par?

Hon. Mr. LOUGHEED—They may not sell at par, but I should say they will closely approach par. It is doubtful as to whether they will realize more than 96 or 97, taking into consideration the present quotation of 4 p. cent debentures issued by the Government of Canada.

Hon. Mr. BOSTOCK—I understand that this is a final settlement.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BOSTOCK—Could the hon. gentleman give us any explanation as to how that settlement is arrived at.

Hon. Mr. LOUGHEED—As to the estimate?

Hon. Mr. BOSTOCK—Yes.

Hon. Mr. LOUGHEED—There has been an estimate made up by the Department of Finance as to the application which shall be made of this amount. Probably I had better read it, and it will then appear in the Senate Debates and will be there for our information. This is a memorandum prepared by Mr. Ross of the Department of Finance respecting the application of the amount:

Memorandum showing how the sum of $16,000,000 mentioned in Grand Trunk Pacific resolution will be applied:

(1) Amount required to pay three-fourths of cost of construction work as defined in Trust Deed of June 10, 1905, in respect of Mountain Section, inclusive of interest until completion of Mountain Section on bonds issued in respect thereof under deeds set forth in Schedules (a) and (b), Cap. 98, Acts of 1905	$10,715,495
(2) Interest until completion upon advances made in respect of the Mountain Section under the Grand Trunk Pacific Loan Act, 1913—$8,807,563.13 at 4 per cent.. ..	680,383
(3) Interest for approximately 4½ years on $16,000,000 at 4 per cent cent..	2,720,000
(4) Discount and flotation charges on issue of $16,000,000..	1,440,000
	$15,555,878

In connection with item (1) the company under date of February 6, 1914, point out that after the rails are connected there will be substantial expenditures for what is construction work, the meaning of the Deed of Trust required during 1914 and 1915 in addition to the estimates contained in item (1). There will be additional stations, section houses, tank houses, etc., improving water supply, road crossings, freight houses, additional ballasting, and general construction expenses incident to a new road bed. These additional items are estimated to amount to $2,000,000, three-fourths of this being $1,500,000.

This is an estimate agreed upon between both parties showing the application which shall be made of the proceeds.

Hon. Mr. BOSTOCK—Does the agreement represent a settlement as to all the differences between the Grand Trunk and the Government?

Hon. Mr. LOUGHEED—Yes, that is, as to this particular phase of the agreement.

Hon. Mr. BEIQUE—Under the original agreement the Grand Trunk railway of Canada was to guarantee the balance of the bond.

Hon. Mr. LOUGHEED—Yes, the other quarter.

Hon. Mr. BEIQUE—Not only the other quarter, but the balance, whatever it was.

Hon. Mr. LOUGHEED—It could not exceed a quarter, that is on the mountain section, under the legislation of 1904, because the Government became responsible for 75 per cent of the cost, whatever it might be. Under the legislation of 1903, the Grand Trunk did assume that responsibility, because the obligation of the Government was limited to $30,000 a mile.

Hon. Mr. BEIQUE—I have the Act of 1913, and it says that the Grand Trunk will guarantee the bond of the Grand Trunk Pacific Railway Co., for the balance required for the complete construction of the western division, in the agreement mentioned as provided in clause 34 of the agreement. It was in consideration of the guarantee that the Grand Trunk Company of Canada was to receive $25,000,000 of common stock in the Grand Trunk Pacific railway, which the hon gentleman called 'watered stock.'

Hon. Mr. KERR—No offence intended.

Hon. Mr. BEIQUE—What I want to know is whether the Grand Trunk railway of Canada has agreed in fact to guarantee the $4,000,000 of new bonds?

Hon. Mr. LOUGHEED—Oh, yes.

Hon. Mr. BEIQUE—I do not think it appears by the Bill; so that if they had not, the Government will have no guarantee that the road will be constructed.

Hon. Mr. LOUGHEED—There is an agreement.

Hon. Mr. JAFFRAY—Would it not be better that the money should be advanced direct on bonds issued by the Government, instead of guaranteeing the bonds? These guaranteed bonds never reach the same value in the market that the direct bonds of the Government do; and you could take the bonds of the company, put them in the vault, issue the bonds of the Government, and in that way save a good deal of money.

Hon. Mr. LOUGHEED—Of course, the Government has already done that with respect to the implementing bonds. They were issued at 3 per cent and their quotation on the market was so very far below par as to render it desirable, not only in the interest of the Government but in the interests of the company themselves that it should be done. As to the 4 per cent bonds, that is a matter in reference to which possibly the Government may take into consideration the advisability of doing

what my hon. friend has suggested, but they have a free hand at the present time as to whether they shall do this or not. I should say it would depend very largely upon the facility with which the Government may be able to market its own bonds.

Hon. Mr. CASGRAIN—Of course, the Government could borrow money at 3½ per cent so it would be better for them to borrow that money and give the Grand Trunk Pacific that amount; they would save one-half per cent.

Hon. Mr. LOUGHEED—The Government cannot do that. The issue which they at present contemplate making of five million pounds will be on a four per cent basis.

Hon. Mr. BEIQUE—It would be interesting to have the proper information from the Government as to the question I have asked, in regard to the other Bill, if the Govern- has provided, or is to provide, for the carrying out of the agreement with the Grand Trunk railway of Canada.

Hon. Mr. LOUGHEED—I can assure my hon. friend that that is the case.

Hon. Mr. BEIQUE—Of course they were obliged to under the former Act.

The motion was agreed to and the Bill was read the second time.

The House resolved itself into a Committee of the Whole on the Bill.

(In the Committee.)

On clause 9:

9. That before a guarantee is given a release by the Company and by the Grand Trunk Railway Company of Canada shall be executed, which release shall be in form and terms satisfactory to the Governor in Council and shall constitute an acceptance of the guarantee provided for herein as a full, final and satisfactory settlement, and as a complete satisfaction and discharge of all rights that either the Company or the Grand Trunk Railway Company of Canada now has or may claim to have or may hereafter have or claim to have against His Majesty to any further guarantee, payment, or aid of any description in respect of the construction of the Western Division under and in virtue of the said agreements of the twenty-ninth July, 1903, and eighteenth February, 1904, and of the said Trust Deed of tenth June, 1905, or under any statute now in force.

Hon. Mr. POWER—I think this is a very proper clause, but before the guarantee is given a release by the company or by the Grand Trunk railway company of Canada should be executed and so on. I can only express my regret that the Bill which we passed providing for guarantees to the Canadian Northern Railway did not contain a similar clause which would have prevented further raids upon the Dominion treasury.

Hon. Mr. LOUGHEED—Even this might not prevent it.

Hon. Mr. BEIQUE—Clause 8 says:

8. That nothing herein contained shall be held to limit or affect the obligation of the Grand Trunk Railway Company of Canada, under the agreement with His Majesty entered into in pursuance of section 8 of chapter 24 of the statutes of Canada, 1904, or under said section.

Reference is made only in 1904. That might be constituted as making way with their obligations under the other Acts.

Hon. Mr. LOUGHEED—I read from chapter 71 of the Act of 1904. Sub-sections two and three of section seven of the National Transcontinental Railway Act are hereby repealed and in lieu thereof it is hereby enacted as follows:

Notwithstanding anything in this Act or in the agreement contained, His Majesty the King, acting in respect of the Dominion of Canada, shall not be bound or obliged to perform, carry out or fulfil any of the covenants, undertakings, conditions or stipulations in the agreement contained on behalf of His Majesty acting as aforesaid, unless and until the Grand Trunk Pacific Company of Canada covenants and agrees as follows, with His Majesty acting as aforesaid.

The clause was adopted.

Colonel the Hon. Mr. MASON, from the committee, reported the Bill without amendment.

The Bill was read the third time and passed.

The Senate adjourned until to-morrow at 11 o'clock.

THE SENATE.

Wednesday, June 10, 1914.

The SPEAKER took the Chair at Eleven o'clock, a.m.

Prayers and routine proceedings.

SUSPENSION OF RULES.

MOTION.

Hon. Mr. LOUGHEED moves:

That from and inclusive of to-day, and until the end of the session, rules 23f, 24a, b, d, e, and h, 63, 119, 129 and 130 be suspended in so far as they relate to Public or Private Bills.

Hon. Mr. KERR—Can the hon. gentleman inform us what further Bills are to come to us?

Hon. Mr. LOUGHEED—The Supply Bill will probably come down.

Hon. Mr. THOMPSON—What about Redistribution?

Hon. Mr. LOUGHEED—I cannot say anything about that. It is to be hoped that it will reach this Chamber before we prorogue. That is the only Bill of any importance.

Hon. Mr. CASGRAIN—I thought the hon. gentleman was going to bring down the Naval Service Act. A naval cadet corps has been established, and that 'tin pot navy' is going to be turned into steel now, and is going to become of great use in the defense of our coast. The 'Niobe' and 'Rainbow' will be put into commission at once, and will serve to train young men, no less than twelve hundred, and naturally a discussion on that subject would take some time, because it would be a reversal of the Government's policy. I have no doubt the hon. leader of the Government in this House can turn the corner and prove to us that the navy is just the thing we want, without consulting the people.

Hon. Mr. BOLDUC—My information is not in that line. I heard yesterday that the Niobe and Rainbow would be sold as scrap iron.

Hon. Mr. KERR—Will they build bigger ships?

Hon. Mr. BOLDUC—No, I understand they will wait until the Liberal party come into power to construct two fleet units, one on the Pacific and the other on the Atlantic coast. We expect it will be many years before that happens.

Hon. Mr. CASGRAIN—I am very much obliged to the Assistant Minister of the Navy for that information; in the meantime I suppose these naval cadets will train on dry land.

Hon. Mr. BOLDUC—No, we will have special boats for them.

The motion was agreed to.

MONTREAL HARBOUR COMMISSIONERS' ACT AMENDMENT BILL.

The Order of the Day being called.

Committee of the Whole House on Bill (221) An Act to amend the Montreal Harbour Commissioners Act.

Hon. Mr. DAVID—Before the House resolves itself into a Committee of the Whole I want to call the attention of the hon. leader of the House to certain facts. Action has been taken by the city of Montreal against the Harbour Commissioners, in order to oblige that commission to pay certain taxes upon the properties in their possession, and no doubt under the control of the Harbour Commission. The case came before the Recorder's Court and Mr. Weir, one of the Recorders gave judgment against the city and in favour of the Government. An appeal has been taken, and the Government, I suppose, thinking there was some doubt on the interpretation of the law, got the practical idea of getting rid of the case by doing what general pleaders have not a chance to do—by passing a declaratory law in virtue of which it is said that the Government has always been and is still the proprietor of those immovables, which were assessed by the corporation. I appeal to the leader of the House if it would not be just and proper to amend the Bill, either in one way or the other; either by adding these words in the tenth line after the word 'harbour' 'within the limits of the harbour,' or to add the same words in the twenty-sixth line after the word 'harbour.' I do not think it is just to deprive the city of the taxes which the Government should pay; or to deprive the city of Montreal of the right, which they before possessed, to the taxes which the Government consented to pay before this Bill was enacted, on the property so situated outside of the limits of the harbour—which is not very considerable. I do not think that this Bill should have the effect of making the situation of the city of Montreal worse than it is. We all admit that the Government naturally have the right to pass this law, and to prevent the city of Montreal from taxing all immovables situated within the limits of the harbour, so that I would ask the hon. leader of the House if he would not consent to add these words, and to simply say this:—

This Bill shall not apply to certain properties upon which the Government has heretofore paid taxes.

The language is not very exact but the hon. leader understands my contention, and I hope he will consent to this in order to make the position of Montreal no worse than it was. The Government consented to pay taxes on certain property, on its offices and some other buildings which are situated outside the harbour. Why not continue?

Hon. Mr. BEIQUE—My understanding of the matter is, as stated by the hon. mem-

ber from Mille Iles, that heretofore the Harbour Commissioners without any objection paid taxes to the city on property possessed by the Harbour Commission outside of the harbour. The question arose between the harbour corporation and the city of Montreal, and the city claimed the right to assess all the property of the harbour. The Harbour Commissioners, very properly, demurred to that claim, and hence the preparation of the present Act. As I understand it the commissioners have no objection to paying the taxes which had been heretofore levied on the other property. As this law is given effect, and also because all that is claimed by the Harbour Commissioners was that they should not pay taxes on the harbour proper, it seems to me that the demand which is made by the hon. member from Mille Iles is proper.

Hon. Mr. LOUGHEED—May I ask my hon. friend if the property on which taxes had been paid, belongs to the Harbour Commission?

Hon. Mr. BEIQUE—Yes.

Hon. Mr. LOUGHEED—Would not the same principle apply to that as to the whole harbour? As I understand the principle of the Bill, the harbour and everything pertaining to the harbour, belong to the Crown, it must be state property. It does not belong to the city of Montreal; the beneficial title must be necessarily in the Crown. Then why should it be limited to the harbour. It seems to me, unless we admit in this Bill that certain property owned by the Harbour Commission is not taxable, we sacrifice the principle of the Bill; we entirely take the properties from under the principle on which we stand. I shall let the Bill stand until we get further information.

Hon. Mr. CASGRAIN—Perhaps the city clerk, who happens to be the senator from Mille Iles can tell us what is the amount of taxes involved. I think it is a small amount.

Hon. Mr. DAVID—The assessment would give about one hundred and fifty to two hundred thousand dollars in taxes.

Hon. Mr. CASGRAIN—The whole harbour?

Hon. Mr. DAVID—Yes.

Hon. Mr. CASGRAIN—What is the amount involved in the particular property that is intended to be withdrawn? The whole harbour is now vested in the Crown, and I know for a fact that when even a long lease of ninety-nine years is given, an Order in Council must be passed here in Ottawa to authorize it. The properties on Mill Street and in the harbour, belong to the Crown now; therefore I do not see very much use in this Bill. His Majesty owns the property up to the line of the average high water mark, and that line was defined by a commission of experts in 1876, under the Mackenzie Government. They established then the property of His Majesty. The question brought up by the hon. member from Mille Iles is whether property acquired since then, in the city of Montreal, is liable to taxation. That is another question altogether. If that property becomes, like the harbour itself is to-day, vested in the Crown, then, Crown property is not taxable any more than military property is taxable for municipal purposes. Therefore I do not see that this Bill should be amended, because if the lands are vested in the Crown—and the amount involved cannot be large—outside of the harbour, it would make a distinction between two classes of property, and you would have the city of Montreal, after this Bill becomes law, actually taxing property belonging to His Majesty.

Hon. Mr. DANDURAND—My hon. friend speaks generally of the conditions that apply to harbour properties throughout the land. He is right when he is speaking generally, but he is wrong when he applies general principles to the case before us. When the last commission was formed the title was vested in the commission; the Act apparently dispossessed the Crown of its rights in the harbour of Montreal, and vested all the rights in a special commission. That is the point which is now before the courts, so that I quite understand the importance and the opportuneness of this legislation.

Hon. Mr. CLORAN—The plea of the hon. gentleman from Mille Iles is for the city of Montreal. The hon. gentleman is closely connected with that city, and speaks on behalf of the authorities of Montreal; he asks us not to put Montreal in a worse position by this legislation than it has been in the past. That is a fair demand, and I know if the matter is laid before the Minister of Justice and Mr. Coderre and before other representatives of the people who know something about the island of Montreal, and its harbour they will be only too glad to urge the Government to change this law or to make provision in the law against injustice being done to the city of Montreal. I have not

the slightest doubt about it; and that is all I understand the hon. gentleman from Mille Iles is asking. As to the legal aspect of this, the senator from De Lanaudière and the leader of the Government have stated that the harbour property along the river St. Lawrence is a Crown property vested in the Crown. That is not absolutely correct. The property, as has been pointed out by the hon. gentleman from De Lorimier, is not state property in the true sense of the word, nor is it a Crown property. It is the property of the Harbour Commissioners, who are obliged to pay interest on the money with which they run the harbour, and that money they pay to the Government.

Hon. Mr. LOUGHEED—That is another branch of the Crown.

Hon. Mr. CLORAN—The Crown cannot collect from itself, and the Government is annually collecting hundreds of thousands of dollars from the Harbour Commissioners; so that when the statement is made that the harbour property is a Royal and Crown property, it is not a correct statement under the circumstances. Montreal is in a peculiar position. Notwithstanding all that the city of Montreal is called upon to give in the way of protection to the harbour interests, to the property of these docks and wharves, the city receive nothing. We have to afford police protection, we have to afford fire protection. We have to open all our ports to the capitalists, to all sea-going interests, and Montreal is doing all that gratis. That cannot be done without expending money. Up to some years ago when the property was really, I believe, a Crown property, the federal Government had a police force of its own, had its own officers, had its own men, its own buildings, but one fine day, I forget during what Parliament it occurred, an Act was passed abolishing this force, and throwing on the shoulders of Montreal the responsibility of keeping peace in a harbour over nine miles long all from the Lachine Canal way down to Longue Point.

Hon. Mr. CASGRAIN—Sixteen miles.

Hon. Mr. CLORAN—Do hon. gentlemen not think Montreal has done its share, taking care as it is of the federal power, which is much richer than Montreal, replacing the federal police force? When there were dock labour strikes, the city of Montreal had to place its entire police force at the disposal of the Harbour Board of Commissioners and the sea-going authorities. Montreal did not begrudge the service. The strikes did not take place in any part of the city of Montreal. It was on Government property. Under these circumstances, the plea made by the senator from Mille Iles, the Mayor, and the authorities, is not out of place. I hope the hon. leader of the Government will take it into consideration. We are not asking for any favours. We are asking to be let alone. If it is to be admitted that the Harbour Commissioners property is property vested in the Crown, Royal or Crown property as we call it, where is it to end? Once they come over the high water mark, are they not liable to taxation. Suppose the Harbour Commissioners to-day find it necessary to buy property right in the heart of Montreal or the limits of Montreal to the extent of five hundred thousand, a million, or two million dollars, is that property going to be exempt from municipal taxation? Any fair-minded man will have to admit that it will not be right or just to the city of Montreal. The Harbour Commissioners have certain properties in the city limits. Now that property receives the same protection from fire, from disturbance by rioters or strikes, receives every right that municipal government can grant to citizens, or grant to property. Are they not to contribute towards the expenses of these conveniences granted to persons and granted to property. The plea could not be made stronger. I say, if the Harbour Commission to-morrow decide to buy a million dollars worth of property in the city of Montreal, by this legislation that property would become exempt at once from taxation. That is not a fair proposition. All the city of Montreal would have to do in return would be to simply say to the Government, 'Here you are putting us in a position to pay a large sum of money for your protection, for the protection of the national interests of the country. We are paying large sums of money to have your Government property patrolled. We will withdraw our fire department, render no service to your Government property, we will withdraw our police department, and will render no police protection to your property, the property of the nation, the property of several nations, along sixteen miles of the water front. The city of Montreal could do that, I do not say they would, but if the Government is going to force the city to do things which they should not force them to do, the city would be justified in saying to the Government, 'You are taking our property. You are not allowing us to collect taxes on it, take charge of the harbour yourself.' What is it

going to cost the Government? It will cost hundreds of thousands of dollars to patrol that sixteen miles. It is no longer a port of two or three miles along the water front, and if the Government were compelled to re-establish a federal police force, and put up a fire department along the wharf to keep the firemen ready in case of conflagration in the warehouses along the water front and in the shed, where would the expense end. These are cogent arguments. They are practical, sensible, and fair, and I hope the hon leader of the Government in this House will recommend that the plea made by the hon. gentleman from Mille Isles be answered.

Hon. Mr. DAVID—I would again remind the hon. gentleman that the Government has in the past consented to pay taxes on certain immovables and other property, and I would ask why should they not continue to do so.

Hon. Mr. LOUGHEED—I shall make inquiry, but that property would be taxable. I must be frank with my hon friend in saying that it seems to me the insertion of those words would destroy the Bill.

Hon. Mr. DAVID—Make an exception, and exempt certain property.

Hon. Mr. LOUGHEED—I shall make inquiry from the Minister of Marine to-day, and the order will stand.

The Order of the Day was allowed to stand until this afternoon.

THE SENATE DEBATES.

Hon. Mr. POWER—With the leave of the House I move that the second report of the Standing Committee on Debates and Reporting, be concurred in.

Hon. Mr. CHOQUETTE—I have no objection to the report being adopted, but I would like to suggest to the Government, and especially to the Committee on Debates, to try to reduce the reports of this House. There are five or six volumes of reports from the other House each session, and they are a nuisance. I throw out the suggestion, as I always did when I was a member of the other House, that we ought to reduce the debates to two or three speeches on either side— a speech from the Government and from the leader of the Opposition—others who would like to have their speeches printed could make a bargain and pay for them. The Debates, as they are now, are a nuisance; you cannot use the debates in an election campaign, because you have to carry five or six volumes, and the greater the number of members in the House, the larger the number of volumes will be. Therefore it is spending money for nothing at all. More than that, the Government and Debates Committee in both House should stop sending to members of Parliament and senators an immense number of blue-books for which there is no use, and which are a nuisance in our office; they are received by bagfuls after the session. I suggest that the Clerk of this House—and if I were in the other House I would suggest the same thing —should send a letter to the senators and ask them what reports they want. Let them send a list of all the debates and of all the reports and ask them which ones they wished to have, and then print just as many as are required, and the members who do not want these reports need not order them. I know from talking with many members of this House that a great many feel like I do, and would like to get rid of these great numbers of blue-books, which are good for nothing at all.

The motion was agreed to, and the report concurred in.

The Senate adjourned until three o'clock this afternoon.

SECOND SITTING.

The SPEAKER took the Chair at Three o'clock.

Routine proceedings.

POST OFFICE ACT AMENDMENT BILL.

MOTION TO AMEND.

The Order of the Day being called:

Consideration of the message from the House of Commons disagreeing to the first amendment made by the Senate to Bill 147, 'An Act to amend the Post Office Act.'

Hon. Mr. LOUGHEED moved:

That the Senate does not insist upon their first amendment to the said Bill but that the following amendment be substituted therefor:—

Page 1, line 8.—Leave out paragraph (*e*) and substitute the following:—

'(*e*) establish, with the approval of the Treasury Board and after such hearing of any persons interested as the Treasury Board may direct, the rates of postage on all mailable matter, not being letters, and prescribe the terms and conditions on which all mailable matter shall, in each case or class of cases, be permitted to pass by post; and except in the case of letters, authorize the opening thereof for the purpose of ascertaining whether such conditions have been complied with; but the maximum rate which the Postmaster General may so establish as the postage to be paid on newspapers and periodicals defined by sec-

tion 53 of this Act shall in no case exceed one and one-half cents for each pound weight or fraction of a pound weight; and the rates may be graded according to distances and zones of transportation. The rates so established for such periodicals and newspapers shall be submitted to Parliament at the ensuing session for revision or ratification.'

Hon. Mr. KERR—Before this motion is proceeded with, I desire to call attention to the fact that this is deemed a most important matter in the interests of the press throughout the country. Since Confederation the postal rates respecting newspapers, etc., have been subject only to the regulation by Parliament. The Bill as it was introduced a little while ago made a change in that respect, and practically brought such regulation within the jurisdiction of the Postmaster General, in lieu of the submission to Parliament. That was objected to by the press throughout the country, and they had been very concerned about it. They had given the matter a great deal of consideration, and they appeared before a committee of the Senate and opposed that motion, objecting to the principle of supervision by the minister, no matter who he was, and objecting to his being substituted for Parliament. The question was considered on two occasions by the committee. Government by a minister is one thing, and Government by Parliament is another, and to that latter principle the committee have adhered. Representation was made before the committee, and in consequence of that proposals were made, and ultimately a resolution was adopted which was agreed to by the Postmaster General and the representations of the Press Association. The resolution was brought before the committee which considered it. After some discussion it was adopted. Now, on the message going back from this House conveying the effect of that amendment to the House of Commons, objection seems to have been taken by the Postmaster General in the House of Commons, although he had agreed to it before, in the presence of the members of the Press Association, and also in the presence of the committee of the Senate itself.

Hon. Mr. LOUGHEED—Will my hon. friend state to what the Postmaster General agreed?

Hon. Mr. KERR—The form of resolution which was amended, and which was conveyed by us to the House of Commons. After it got there, however, he appeared for some reason or other to have changed his mind, and there appear to have been overtures and discussions and meetings, between the representatives of the press and himself and others of the Government with reference to this matter. Ultimately this proposal which is here, was made by the minister on behalf of the Government and presented, and it comes over to us really conveying the result of the determination, so to speak, that was then arrived at. The Press Association, however, have been absolutely opposed to this, and so far as I have been able to learn are unanimously opposed to it. Their representatives have been here two or three times making reports, and they desire to adhere to the principle—and that is the important thing—that Parliament should ultimately determine as to what these rates shall be. Now, the present proposal would appear at first sight to leave the matter to Parliament, but it is not so; the rates would go into effect immediately upon being determined by the Treasury Board, who are the persons named here—practically by the minister—because the minister going before the Treasury Board and presenting his demand with reference to such a matter, would naturally have his view accepted. So that, in reality, it is the minister in another form, or nearly so—so nearly so, that we take exception to it, and the press reasonably take exception to it. That being so, and the press knowing of it and hearing of it, they have given the matter a great deal of consideration, and they have made representations with reference to it, opposing it, and desiring at all events, that the one sheet anchor on which they rely for their safety in the business in which they are engaged—the business of disseminating news and information throughout the country—should continue now as it has been since the days of Confederation; that Parliament should be the arbitrator determining what the rates should be. Now in order that that may be brought forward I shall read—

Hon. Mr. LOUGHEED—I do not wish to interrupt my hon. friend but are we in order in discussing that phase of the matter? We have abandoned the principle in the Bill of Parliament primarily fixing the rate, and in the amendment which was adopted not only by the Standing Committee but by the Senate, and sent down to the House of Commons. The amendment now under discussion does not admit of the principle laid down by my hon. friend, but introduces and adopts an entirely different principle. Now, seemingly, we are going back to discuss a

principle which has been eliminated from the Bill.

Hon. Mr. KERR—The hon. gentleman can hardly say that.

Hon. Mr. LOUGHEED—I have no hesitation in saying that.

Hon. Mr. KERR—I impute no motives, but I do not think that is a full statement of the case. No man who was present at the committee understood for one moment that the representatives of the press who were there agreeing—who came into the proposal that was then made before our committee—understood in the least that they were abandoning the idea that Parliament should be the ultimate arbiter.

Hon. Mr. LOUGHEED—Not the ultimate arbiter; the amendments speak for themselves. The amendment is practically the same as this except that this enlarges the scope of the method to be adopted in the fixing of the rates: that is all.

Hon. Mr. KERR—I am only saying that I think everybody who was there present would appreciate that, as being the attitude of the press with reference to the matter. They have been most insistent on the definite cardinal point that Parliament should be the force to determine what were to be the terms of the postal rates. No one will pretend for one moment that they have abandoned that principle. This other proposal was brought before us, and they were induced to agree to it, and the minister agreed to it; he went away, and he has now changed his mind.

Hon. Mr. LOUGHEED—More favourably to the members of the press.

Hon. Mr. KERR—Yes, in some respects perhaps more favourably, but less favourably on the point of security; the protection of Parliament has, practically been taken away. Under the name of giving it to the Treasury Board, as we all understand perfectly, the authority has been put back into the hands of the Postmaster General, to which they absolutely object. Under the mask of the Treasury Board, the features of the Postmaster General are to be seen.

Hon. Mr. CASGRAIN—Hear, hear.

Hon. Mr. KERR—Then the hand of the Postmaster General is to be seen in the way in which it is proposed this shall be worked out. Now, under those circumstances, the press are protesting. My hon. friend says they were agreed on something. If they were agreed, then let that agreement stand, and let our message stand. If not agreed, and if there is something new going to be proposed from one side, are the press representatives not entitled to object and say, 'we have not agreed to this?' We claim, then, that if the original proposal that came before the committee is abandoned, we should now have this question settled by Parliament. Under these circumstances, it is, that I am going to trouble the House by reading the petition or protest that has been placed in my hands.

Hon. Sir MACKENZIE BOWELL—Before the hon. gentleman reads that paper, which I fancy is in the hands of every senator, would he explain to the Senate in what respect the present proposal before the Senate differs from that which was adopted by the committee which considered this? In what does the present position militate more against the press than that which we adopted a few days ago? I am not asking as to the vital principles upon which we all differed—as to the placing of the power in the hands of any one man to say what the rates of postage should be; I am not discussing that point; but in what respects, otherwise, does it differ? where does it restrict the rights of the press; or where will it bear more onerously on the press than that which we adopted in committee and by the Senate?

Hon. Mr. KERR—The essential point from beginning to end of this matter is that, whatever is to be done, is to be done with the approval of Parliament. That is the essential point, and that is the essential point of difference that there is in this from what was understood to be the agreement then made.

Hon. Sir MACKENZIE BOWELL—Yes, but the hon. gentleman does not pretend to say that as the result of our consultation in the committee the Postmaster General went away under the impression that he was to surrender that right?

Hon. Mr. KERR—If you will allow me, then, I will read this petition, or protest.

Whereas Bill No. 147 as amended by the Senate and House of Commons still removes from the discussion and control of Parliament the question of newspaper postage rates before these have been imposed by the Post Office Department, through the Treasury Board.

And whereas since Confederation the newspaper industry has enjoyed the protection of Parliament in the enactment of postage rates, and no good reason exists why this principle should be changed now, and arbitrary power should devolve upon a department or any limited tribunal.

Resolved that the Executive of the Canadian Press Association hereby respectfully appeal to the Senate to strike out of Bill No. 147 the clause empowering arbitrary changes of newspaper postage.

And that a copy of this resolution be sent to the Honourable, the leader of the Government in the Senate, and the Honourable, the leader of the Opposition.

(Sgd) H. B. Donly,
President,
Canadian Press Association.
(Sgd) P. D. Ross,
Chairman Postal Committee,
Canadian Press Association.

That is the attitude of the two parties. I am not discussing the question from what was said here or what was said there; I am taking the grasp of the whole question from beginning to end. The Press Association has always claimed that Parliament should be the arbiter, and should impose the rate. There is no disguise or concealment about that. Everybody who heard them then, or has heard them since, must have understood that that was the one cardinal point of difference. Without having a great deal more information about the matter, we should continue to protect the press interests in respect of this matter, as we have in the past.

Hon. Mr. BOLDUC—I call the hon. gentleman's attention to the last sentence of the amendment:

The rates so established for such periodicals and newspapers shall be submitted to Parliament at the ensuing session for revision or ratification.

Hon. Mr. KERR—But in the meantime they will be in force, and therefore you would have them, if they were being unjustly treated, subject to unjust treatment for months.

Hon. Mr. BOLDUC—But they have redress.

Hon. Mr. KERR—Why provide for such a thing as redress from extortion, when we ought to prevent that redress being necessary? If the matter is to go to Parliament ultimately for determination, why is it necessary that the rates should go into effect before the matter comes up in Parliament. Parliament meets every year and sits, under our practice, for half of the year. What hurry is there to establish rates, without consulting Parliament, when by waiting a month or two the matter could be decided by Parliament? These people are asking nothing but fair play and justice. They want it left so that the highest court of the land can judge and determine the matter, as it has done in the past. This coming back for revision is one thing; the fixing of it by Parliament is another. Under the circumstances, there should be no hesitation whatever in putting the press in a proper position, not as suppliants, but as people having rights who are carrying on an industry of vast importance to the country. Their business may be so disturbed as to interfere with its proper prosecution in some instances, and there is no doubt that the passing of this Bill would impair the usefulness of some newspaper enterprises. Under these circumstances I propose to move an amendment, and I am doing it at their request, and because I think it is right, I hope this House will take the same view, because I am sure the public will approve of it. I propose that there should be no imposition of a tax under the words that are proposed here now in the amending clause which would be found to be unreasonable or improper, I propose that the matter should be determined before there is a collection or an imposition. I move, seconded by the Hon. Mr. Young that after the word 'ratification' in the proposed amendment we add the following:

And shall not take effect until so revised or ratified.

If there is an honest desire to submit this matter to Parliament to be dealt with, it should be dealt with before the revenue is collected under it. The period of time cannot very much affect the revenue, because for six months of the year, and sometimes more, Parliament is in session, and can deal with the matter.

Hon. Mr. LOUGHEED—I should like to make a few observations as to what appears to me to be the futility of discussing this along those lines. Allow me to say, in the first place, that the most ample opportunity was given by the Senate to the press and others interested in this Bill, an opportunity which is seldom given upon a public Bill; that the Standing Committee to whom was referred this particular subject accepted a certain amendment. I am unaware whether it was accepted unanimously or not, but it was adopted by the committee. It was afterwards reported to this House and this House adopted that amendment. It was then sent to the House of Commons. Therefore, it came into possession of the House of Commons. The question arises in my mind; if we substitute for the amendment to which we do not agree at the moment, some additional

amendments, is the House of Commons not in a position to send back messages to this House to say that we shall withdraw our message and accept the Bill. If that is done it becomes quite manifest that the concessions which have been given to the press under this proposed amendment, which is now before us for consideration, will be considerable abridged. That is to say that amendment is very much more liberal in its terms, so far as the fixing of the rates is concerned, than the amendment which was sent down from this House to the House of Commons. This amendment is the outcome of further conferences which took place on the part of representatives of the press with the Postmaster General and with the Prime Minister; and instead of the Postmaster General taking the initiative, as under our former amendment, in the fixing of the rates, and bringing those rates down to Parliament, it is now provided in the amendment before us that he must establish those rates with the approval of the Treasury Board, and that the Treasury Board will not act until after the hearing of persons interested, as may be designated by that board. The Treasury Board then having approved of the rates which may have been initiated by the Postmaster General, will have the rate so established for such periodicals and newspapers submitted to Parliament at the ensuing session for revision or ratification. It seems to me that to all intents and purposes the principle for which my hon. friend is contending is not only recognized in this amendment, but due provision is made for its recognition. That is to say, the rates can be dealt with by Parliament. In any event, let us assume for the moment we made no amendment to the Postal Act, that we fell back upon the old law, that Parliament is supreme, as it must necessarily be supreme in such a case. To initiate the business before Parliament of fixing these rates, necessarily implies that the minister charged with the administration of this particular service will prepare a schedule of rates and submit those rates to Parliament. Parliament, I think, will give recognition to the fact that the minister charged with administering the Postal Department will be the best authority as to what rates should be fixed. If we pursue that line of action with reference to the old law, as has always been done—namely the introduction of the rates to Parliament as made by the Postmaster General, does it not likewise follow that under the amendment which we have before us for consideration to-day the same thing is practically done ?

Hon. Mr. KERR—Except that they collect in the meantime.

Hon. Mr. LOUGHEED—Namely, that the Postmaster General shall fix the rates, then he should submit those rates to the Treasury Board, that the Treasury Board should summon before it such of the parties as are interested—the press, I presume, because they are the only parties who can be interested—and having heard the press they should either ratify or amend these rates. At the next ensuing session of Parliament those rates should be ratified and confirmed by Parliament. Immediately the schedule of rates is put on the table of Parliament, can any one doubt the freedom of Parliament to deal with it, any way within its discretion? If Parliament should fix a lower rate than that fixed by the Postmaster General, the necessary legislation will be adopted at that session of Parliament to recoup any person or persons who paid those extra rates. I make that statement advisedly. Wherein, I ask, can any injustice flow from the legislation which we suggest? I understand that in England the rates are fixed by the Treasury Board. Is it reasonable to suppose that the Postmaster General, no matter who he may be, whether the person occupying the office to-day, or any future occupant of the office, is going to alienate the friendship and sympathy of the press? If there is any institution in the country to which the Postmaster General will bow, and bow deferentially, and even court the good opinion of, it is the press of the country. But I ask; is it reasonable to suppose that the press of the country should dictate to Parliament what those rates should be. This postal service is one established by the Government of Canada for the convenience of the public and of the press. There must be mutuality in this matter; there must be confidence in the administration of the postal laws of the Dominion, and it is not unreasonable to suppose that rates will be fixed which will be most equitable. In the event of my hon. friend's amendment carrying, which I hope it will not, the House of Commons may say we will not accept the Senate amendment, but will fall back upon the amendment which was made by the

Senate some days ago, and accept it as part of the Postal Act.

Hon. Mr. DANDURAND—I am afraid not, as we would have withdrawn our amendment.

Hon. Mr. LOUGHEED—You cannot withdraw your amendment.

Hon. Mr. DANDURAND—If we do not insist upon our amendment and substitute another one for it, I doubt if the other Chamber would be able to fall back upon the first amendment.

Hon. Mr. LOUGHEED—I venture the opinion that we are bound by that amendment, that we cannot amend it; and, furthermore, that the House of Commons may withdraw its message and accept the amendment.

Hon. Mr. YOUNG—Dealing with the last statement of the hon. gentleman, that should this amendment not be acceptable to the House of Commons, they will replace the amendment made by the Senate to clause (b) of Bill (147), and therefore that the interests that are objecting to this Bill will be in a worse position than they were in before. If my recollection serves me right, the rules of the House compel this procedure; a message is sent to the House of Commons with certain blanks which are not filled, so they would not have much confidence in that amendment. The interests involved in this amendment are very heavy and scattered all over Canada. The principle which we wish to maintain is one which has been followed since Confederation, that this Parliament should fix the rates which govern those interests. With reference to the hearings which the Government graciously gave to the gentlemen representing the press, by sending the Bill to the Banking and Commerce Committee, there is an excuse for the statements made before the Banking and Commerce Committee. These gentlemen of the press claimed there that, for some reason or other, they knew nothing of this Bill until it had passed the House of Commons. Whether that is true or not, I happened to be present, although not a member of the Banking and Commerce Committee, when that statement was made, and therefore the necessity of giving them an opportunity of pressing their views arose from the fact that they had no knowledge of the provisions of this Bill until it got beyond their reach in the House of Commons. During the past year negotiations have been going on between the Postmaster General and the representatives of the press, through their associations, in regard to postal rates on newspapers. It was also admitted before that committee that the present rates charged by the country for the carrying of newspapers was not reasonable. That was admitted by gentlemen representing the press, and my impression, gathered at meetings of that committee, was that negotiations would be likely further carried on and possibly terms would be reached which would be considered by both sides to be fair and reasonable for the carrying of newspapers. It was also brought out during the discussions that the fair and reasonable method of determining how rates should be fixed would be a division of the Dominion into zones, and charging the newspapers in proportion to the distance carried. Now it was hoped—I know that was the impression of many members of that committee—that in the interval before Parliament would prorogue, some definite conclusion, fair to both sides and reasonable, would be arrived at. Hence, the amendment sent to the House of Commons was more readily accepted by this House. I do not think for one moment that the large majority of this House contemplated changing the principle that Parliament should decide upon the rate to be charged on newspapers. That was my impression, and it was the impression of many members that spoke to me with regard to this matter. It was hoped that while this amendment was travelling through the House of Commons, and was under consideration there, that a definite agreement would be reached, that would be fair to both and the settlement be embodied in the Bill and be ratified by Parliament at this session. These negotiations apparently have all fallen through. From the protest which was presented to us to-day it is quite apparent that they have been unable to reach that agreement which we hoped would be reached before the end of the session. Now what will happen if this amendment carries? There will only be a short interval, at the most six months, before the matter can be dealt with surely by the Parliament of Canada. In the meantime is it not possible that some definite arrangement will be reached? If this amendment is carried nothing will be disturbed, and we will avoid rates being fixed by the Treasury Board—if you will, through the advice of the minister who is desirous, no doubt, of doing what he thinks is right. It is not expressing a want of confidence in

the minister at all or in the Treasury Board, but it is in adherence to a principle which the Parliament of Canada has always thought fit and wise to have incorporated in this legislation. If this Treasury Board, on the advice of the minister with the very best intentions, passed legislation which the Parliament of Canada would upset at its next sitting, a few months only having intervened, would it not be wiser that we start in a business way and have the arrangement made first, have Parliament pass final judgment upon it at the next sitting, and then there will be permanency, which is so much to be desired in interests which are so far-reaching as the newspaper interests of Canada. There is another feature which we might also incidentally consider, and it is this—though I speak with perhaps a limited knowledge—that a great many subscriptions start at the beginning of the year and consequently any change of rate during the year will naturally affect the revenue. The newspapers will have fair warning that there is going to be a change of rate, an increase in the charge for carrying newspapers, and therefore they, in turn, can govern themselves accordingly for the next year's business. In all fairness, in taking into consideration the fact that the newspapers assert, and I have no reason to doubt their word, that they had not a fair warning in regard to this, it is not an unreasonable proposition to adopt the amendment suggested by my hon. friend from Toronto, and leave the matter to be dealt with in a few months by the Parliament of Canada when all interests can be fairly served.

Hon. Mr. CLORAN—The remarks made by the hon. leader of the Government in regard to this Bill strikes me as not being well taken. He assumes that the amendment proposed to-day involves a want of confidence in the minister, who would not in that case, have the right to establish the rates. I do not think any such thing is implied. There is no doubt that the minister is the proper authority to draw up the schedule of rates with the aid of his department; no one in this House would question the propriety of that right; but the feeling is that those rates, once they are fixed by the Postmaster General and his officers, should not go into immediate effect, but only after Parliament has revised and ratified them. Can the Postmaster General take objection to that? He has no right to do so. As has been well stated, since Confederation that has been the line of action; and why does the Government want to change it to-day? Why does the Government want to have this privilege, after fixing and establishing the rates, of putting them into force for two, three, or six months during the interval between one session of Parliament and another? There is no sense in that; that is not a business proposition, especially in view of the admission of the leader of the Government, that after the rates established by the Postmaster General are put in force, if Parliament finds that they have been too high, they can be remodelled, rescinded, and replaced by other rates; and if rates were collected in the press business that were not endorsed by Parliament, the parties could come back at the Government and be recouped. Just imagine the amount of trouble you are going to give yourselves. Supposing Parliament did remodel all the rates, make them a little bit lower, say a sixteenth of a cent, you would have every newspaper from one ocean to the other down here looking for a reimbursement of the money they had paid into the Post Office Department during the six or seven or eight months these rates were in force. Cannot the hon. leader of the Government see the trouble ahead of the Government and the department? To my mind, it is so easy to allow the Postmaster General to do all that is required in the interest of the Government and in the interest of the department, subject to the approval of Parliament, and only have the rates come into force once Parliament has said the last word. That is a fair proposition, and that is the only thing that is involved in the amendment proposed by the hon. senator from Toronto. He does not question the authority of the Postmaster General to fix the schedule. All he asks is that, once the schedule is made, it should not go into effect until Parliament has passed upon it. I do not see that there will be any objection to that at all, and the Government would be wise on its own behalf to accept that. Look at the number of publishers you have throughout the Dominion of Canada. You have thousands, and you would have cases in the Exchequer Court and everywhere. This does not change the policy of the Government; it safeguards that, and makes it all the stronger. I think the hon. leader should accept the amendment.

Hon. Mr. BEIQUE—I do not rise for the purpose of discussing the motion for amendment on its merits, but to call attention to

two matters. The first one is this: the form of the motion as made by the hon. leader of the Government is that the Senate does not insist upon their first amendment to the said Bill, but ask that the following amendment be substituted therefor. I am afraid if it is accepted in that form it will be open to the House of Commons to accept the first portion of the amendment. They will have the declaration of the Senate that they do not insist on their first amendment, and if they reject the other amendment, they can take the Bill as passed in that way. Therefore the amendment should be worded differently. It should state that the Senate is willing not to insist upon their first amendment to the Bill, if the Commons accepts this other amendment. I desire to call attention to another point which may be of some importance. I infer that if the amended clause were adopted, the effect would be that the Postmaster General would be unable to collect anything at all, because this clause seems to be removing that portion of the Act which enables the Post Office Department to collect one-quarter of a cent a pound. Surely it is not the intent of the hon. member who made the motion that nothing at all can be collected on newspapers?

Hon. Mr. KERR—We would have the existing law.

Hon. Mr. BEIQUE—The existing law would be gone; this is an amendment to the existing law, and if you say by the amendment that the Postmaster General shall be unable to collect before it is ratified by Parliament, it will mean that from the passing of this Act until this action is ratified by Parliament, the department would be unable to collect anything at all.

Hon. Mr. CASGRAIN—I draw the attention of the leader to the language of the amendment, where it says that the rate can in no case exceed one and a half cent for each pound weight or fraction of a pound. This is the first occasion where I have seen the Senate making any provision as to money matters, and I am surprised. It may be urged that we should put these words in brackets; as it is, I think it is out of order.

Hon. Mr. YOUNG—It is only a method.

Hon. Mr. CASGRAIN—That does not matter. Why should we interfere in any way with the House of Commons in a money matter. Perhaps it would be well to have a ruling on that.

Hon. Mr. LOUGHEED—For the purpose of getting the expression of the Speaker on the point I raise a question of order, and take exception to the amendment moved by the hon. gentleman from Toronto, that this is clearly a money clause, and a money Bill, and the amendment proposes to stay the hands of the Government in the collection of the revenue for postal purposes from the time that the rates may be fixed, until the ensuing session of Parliament. It is quite clear that this House cannot interfere with the revenue collecting power of Parliament, and I therefore raise the question that this is a money Bill, and we have not the authority to make the amendment.

Hon. Mr. POWER—On this question it seems to me the hon. leader of the Government is just a little late in raising this point.

Hon. Mr. LOUGHEED—Never too late to raise a point of order.

Hon. Mr. POWER—The Senate did undertake to amend this Bill, and the House of Commons whose duty it was, if the Senate had been encroaching upon the privileges of the Commons, to protest and to say these amendments were encroaching on their privileges, did not take any such course. They accepted the amendment.

Hon. Mr. LOUGHEED—They have refused to accept the amendments.

Hon. Mr. POWER—And it is a little late now to say this is a money Bill, and the Senate cannot amend it.

Hon. Mr. LOUGHEED—That is not the point involved, which I now raise. My point is that the amendment moved by my hon. friend from Toronto proposes to prevent Parliament from raising a revenue by postal rates or postal agreements until a certain event takes place, and that he cannot do. That is the amendment we are considering.

Hon. Mr. POWER—Then the hon. leader of the Government moves to accept this amendment, which is on the paper which contains this provision with respect to the highest rate which is to be charged.

Hon. Mr. LOUGHEED—But that was not filled in.

Hon. Mr. POWER—If the Senate was in order in moving that amendment, the sub-amendment moved by the hon. gentleman from Toronto must be in order.

Hon. Mr. WATSON—Or they are both out of order.

Hon. Mr. POWER—And there has been a disposition of late, especially developed during the present session on the part of hon. gentlemen, to extend this doctrine to money Bills. The amendment that is proposed by the hon. gentleman from Toronto (Hon. Mr. Kerr) does not propose to increase the burden on the taxpayer: on the contrary it postpones the increase until Parliament should have met again.

Hon. Mr. LOUGHEED—That we cannot do.

Hon. Mr. POWER—We have been living under this present rate I believe almost since the union of the colony in 1867 and it does to seem to me that it is a very serious thing that we should decide that, having lived for forty-five years under this arrangement, we should continue to live under it for the remainder of this year. I fail to see that there is any serious emergency just now. Of course hon. gentlemen have been spending money pretty freely and I suppose they need all the money they can get.

The SPEAKER—The hon. gentleman should confine himself to the point of order.

Hon. Mr. POWER—I beg the hon. gentleman's pardon; perhaps I have wandered a little, but the temptation was great.

Hon. Mr. DANDURAND—The point raised by the hon. leader of the House is that the amendment proposed by the hon. member from Toronto (Hon. Mr. Kerr) is out of order, because it amends an amendment, which is a money clause. That contention would be absolutely correct if this amendment came from the House of Commons. It contains all the elements of a money clause, which cannot be amended by this Chamber, but this clause emanates from this Chamber and from the hon. gentleman himself. We are now discussing an amendment made by himself, and in whatever form it leaves this House, it will be the Act of the Senate, just as it is to-day the Act of the Senate when the amendment comes from the hon. gentleman, and therefore the point is not well taken.

Hon. Sir MACKENZIE BOWELL—To what extent would the passing of an amendment as to the imposition and collection of post office revenue affect the law now on the statute-book? The first clause of the Bill reads:

Paragraph (e), (k) and (v) of subsection 1 of section 9 of the Post Office Act, chapter 66 of the revised statutes, 1906, are repealed and the following are substituted therefor.

Now, if that remains on the statute-book, and those clauses which we are repealing refer to the imposition of the present rate of postage, then the proposed amendment would leave the Government in this position, that the Postmaster General would have to adopt other regulations affecting the rate of postage upon newspapers and periodicals, and the fixing of zones. The imposition of that tax could be varied, but it could not come into force until it had the sanction of the Treasury Board, and afterwards the approval of the House of Commons. Where would power rest, in case we repeated these clauses, for the imposition of any rate of postage upon newspapers and periodicals? The Senate, in accepting an amendment and sending it to the House of Commons, did not impose any rate of duty or any maximum or minimum rate. That was left designedly in blank, leaving the Commons to fix the maximum rate that the Postmaster General could impose on periodicals and newspapers.

Hon. Mr. DANDURAND—The question put by my hon. friend does not cover the point of order raised by the leader of the House. I would surmise that if this clause wipes out the power of fixing rates upon newspapers and periodicals, the point taken by the hon. member from De Salaberry is right; if this amendment carries as it is, it would leave the Government in an awkward position, but, of course, this amendment could be further amended by adding that the present rates shall remain in force until others are imposed.

Hon. Sir MACKENZIE BOWELL—But we are discussing, not what might be done, but what is before the House.

Hon. Mr. CLORAN—As I understand the hon. gentleman from Hastings, he contends that the Post Office Department will be put in a position of not being able to collect postage on newspapers and periodicals.

That is what I understand, and yet he calls that an interference with the rights of the Government. That may be true if provision is not made in the present Bill, or in the amendment, to provide that the old Act remain in force. The old rates remain in force until Parliament has accepted the new schedule of rates, as proposed by the Postmaster General. Now I point out to the Postmaster General that he has put himself in the same position as this amendment would place him in, and how is that? We take his own amendment, leave aside the amendment of the senator from Toronto, and what will happen? He cannot establish a schedule of rates in twenty-four hours; it will take him and the officers of his department some time to establish that schedule of rates; and then what happens? He and his deputy and his officers have established and fixed the rates, the next step is to go to the Treasury Board and have that—

Hon. Sir MACKENZIE BOWELL—That is not the point of order.

Hon. Mr. CLORAN—That is the point of order I am coming to, much more so than your remarks. Then the Postmaster General has to go to the Treasury Board, and have his schedule of proposed rates sanctioned. Then this present Bill says that the Treasury Board cannot sanction that schedule until all parties interested are heard. How long would it take to hear all parties interested? It might take a week, six weeks, six months, and in the meantime the Postmaster General would be without revenue; he would not be able to collect. So the hon. leader of the Government will see the difficulty in the situation. The Postmaster General has put himself in the very same position in which he says the amendment would put him. I agree with the hon. senator from Halifax that this raising of the money bugaboo is getting played out. We have no right to impose new taxes, we have no right to increase taxation on the people; we have no right to increase the burdens of the people; but that does not mean to say that we have not the right to direct the expenditure of it, to prevent the evil expenditure of it. It does not mean to say that we cannot stand here and criticise a Bill and amend it, not along the lines—

Hon. Mr. LOUGHEED—There is a question of order before the House.

Hon. Mr. CLORAN—That is the point of order; you suggest that this is a money Bill. We are not interfering with the revenue of the country in any shape or form, and your point of order is not well taken; it is time for the leader of the Government to give up saying that Bills are money Bills.

The SPEAKER—To give a decision on this point of order necessitates a little exploration into what has taken place before. If I look at the first amendment brought in by the Bill, I find on page 1, line 14, that is the first amendment brought to the Bill, No. (147), that amendment says:

After 'with' insert 'provided always that the maximum rate which the Postmaster General may fix as the postage to be paid on newspapers and periodicals defined by section 53 of this Act shall in no case exceed'—

and there is a blank. Why was there a blank there? Because the Senate was then under the impression that it could not fill up that blank, but that it should be filled up by the Commons; that is the fairest way to interpret that question. Now, that amendment has not been accepted by the Commons; the Commons disagreed, and we are now facing this motion:

That the Senate does not insist upon their first amendment to the said Bill but that the following amendment be substituted therefor:

Page 1, line 8.—Leave out paragraph (e) and substitute the following:

'(e) establish, with the approval of the Treasury Board and after such hearing of any persons interested as the Treasury Board may direct, the rates of postage on all mailable matter, not being letters, and prescribe the terms and conditions on which all mailable matter shall, in each case or class of cases, be permitted to pass by post; and except in the case of letters, authorize the opening thereof for the purpose of ascertaining whether such conditions have been complied with; but the maximum rate which the Postmaster General may so establish as the postage to be paid on newspapers and periodicals defined by section 53 of this Act shall in no case exceed one and one-half cents for each pound weight or fraction of a pound weight; and the rates may be graded according to distances and zones of transportation. The rates so established for such periodicals and newspapers shall be submitted to Parliament at the ensuing session for revision or ratification.'

There is no doubt that if we agree to the amendment to the motion made by the hon. leader of this House we do away altogether with the first amendment, because we adopt the following in lieu thereof:

But the maximum rate which the Postmaster General may so establish as the postage to be paid on newspapers and periodicals defined by section 53 of this Act shall in no case exceed one and one-half cents for each pound weight.

Hon. Mr. LOUGHEED—I might say that that was inadvertently inserted, and I would have asked the House to have placed that in brackets or to have stricken it out.

The SPEAKER—So that the Commons themselves may fix the rate.

Hon. Mr. BEIQUE—That is not the point of order raised.

The SPEAKER—Yes, the point of order raised is consequent on the decision, as given on the motion. This is what I find to be added:

After the word 'ratification'—And shall not take effect until so revised or ratified.

Taking into consideration that the main motion made by the leader of the House is not a money clause, inasmuch as the money part of it is supposed to be in brackets, I cannot find that this amendment affects the amendment itself. If the main motion is not a money clause, this amendment applies to the amendment certain restrictions; and in the House of Commons, by rule 78 we have this:

All aids and supplies granted to His Majesty by the Parliament of Canada are the sole gift of the House, and all Bills for granting, etc. . . . and it is the undoubted right of the House to direct, limit and point in all such Bills, the purposes, considerations, conditions, limitations and qualifications of such grants, which are not alterable by the Senate.

There is no doubt that that clause applies specially to grants; but we see that in a money Bill where grants are given, this House has no right at all to bring in any limitation whatsoever; it is the sole gift of the House of Commons, and it is the privilege of the House of Commons to refuse any amendment which would encroach upon their own powers. But this amendment applies to a motion which does not fix any monetary rate at all, but imposes a condition that the Parliament will, at the last, decide upon the question. Under those conditions I have grave doubts as to whether this point of order is well taken.

Hon. Mr. LOUGHEED—I shall say to the House that if my hon. friend's motion is carried, the Government will not accept it and will have to withdraw the Bill.

Hon. Mr. DANDURAND—Is my hon. friend authorized to declare that if there is no agreement by this Chamber over this very clause, that besides this clause going by the board, the whole Bill, which seems to be an omnibus Bill, will be withdrawn.

Hon. Mr. SPEAKER.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. CLORAN—That is a ministerial threat.

Hon. Mr. LOUGHEED—It is proposed to take out of the hands of the Government charged with the administration of the postal laws until the next session of Parliament, the fixing of the postal rates, and that of course the Government cannot accept.

Hon. Mr. DANDURAND—My hon. friend should not forget that, up to this moment, Parliament has retained within its power the right of fixing rates. I was instrumental in helping to frame the amendment which the House of Commons has not concurred in, because the Postmaster General thought of yielding to a certain extent to the press representatives and allowing them a greater safeguard by bringing them before the Treasury Board. I suggested that the fixing of the rates by the Postmaster General be subject to ratification by Parliament, but I felt, before the representation was made in committee by the Postmaster General, that considerable loss was being suffered by the country in carrying the present newspapers, and other periodicals at an unfair rate, and that that should be cured by prompt action. It seemed to me that if a rate were fixed in the Bill when it was returned to the Commons, providing for the limitation of zones, and if these rates were submitted to Parliament at the following session, there would be sufficient safeguards in favour of the Newspaper Association. I made that suggestion with the idea that the maximum rate would be no more than four times the actual rate; that is one cent per pound weight. I found then a certain desire expressed by the Government and the Postmaster General to go beyond one cent. I find that the Postmaster General still clings to a one cent and a half maximum, and perhaps he is right for certain special cases. But there is one thing which I have learned since we have discussed the matter in the committee of this House; it is that the fixing provisionally of a rate will unhinge and disorganize to a certain extent the whole business of the newspaper concerns, because the fixing of a rate naturally affects the fixing of their own rates to the public. If for three or four months the rate is uncertain and is made to weigh heavily upon them, they might be injured; they will not know if they must revise their

rates to the public or wait for a revision of the Government rates by Parliament. The press representatives who have come here last week have been so insistent upon retaining the right of Parliament to fix the rates, and upon the injury that would be worked upon them if rates were fixed in advance, that I have wondered if the Postmaster General should not yield to their demand. They say, 'We have since 1867 been under the supervision of Parliament. It is true that you make this Parliament a tribunal of final appeal, but here we are in June: it may take some time for us to discuss with the Post Office Department the rates that should be fixed. It may take a month or two before we agree, or agree to disagree; we will be within but a few months of next session. What harm is there to the country in allowing the present law to remain on the statute-book as it is; let Parliament have full control over the fixing of rates, and from this until next session the post office will arrange a schedule to be presented at the opening of the ensuing session.' There is also the other argument which has its weight. The newspapers have been carried at a certain rate, and their rates to the public have been fixed in consequence. It seems to me that there is a principle of equity in the post office preparing a new schedule three or four months in advance, and notifying the newspaper community throughout the land that at the ensuing session of Parliament these rates will be presented to Parliament for ratification. I recognize that there will be a certain loss to the post office but this should not represent an immense sum. I would urge my hon. friend to discuss this matter with the Postmaster General, and ask him if he should not revise his judgment and allow Parliament the right to fix and levy rates as heretofore. I have approached this matter with an absolutely open mind. I had thought that the amendment which we were making in committee would be satisfactory. I recognize that we are departing from an old state of things. When rates are fixed by Parliament, they stand for a long time. I believe the existing rates were fixed under the regime of Sir William Mulock eight or ten years ago. The press recognizes that a higher rate should be paid by them, than they pay now.

Hon. Mr. LOUGHEED—Why has my hon. friend changed his mind since he moved the amendment that he adopted?

Hon. Mr. DANDURAND—Because of the argument that has been made, and I challenge my hon. friend to answer that argument, that a rate fixed provisionally, which newspapers will have to stand for four or five months, with the hope of its being revised, would leave them in that state of mind which would prevent them from reorganizing their own rates to the public, in order that they might not have to stand the loss alone. They say that these rates will necessitate a revision of the rates they charge the public for newspapers and periodicals, and they would not like to be in that unsettled state for several months until Parliament meets and hears their last appeal.

Hon. Mr. LOUGHEED—What right has the hon. gentleman to assume that the post office authorities are going to do a grave injustice to the press? Are not the post office authorities authorized and charged by law to do business with the public in the public interest?

Hon. Mr. DANDURAND—I felt that way when I joined hands with my hon. friend to try and frame an amendment which would safeguard the right of appeal to Parliament. We did not hear the newspaper men upon our amendment to the extent that we have heard them since that amendment has been in black and white. The argument they made is that they would like the matter to be fixed once for all, and not be in that unsettled state of being left with the hope in their mind that if they find the rate injurious, Parliament may remedy their grievance.

Hon. Sir MACKENZIE BOWELL—The principal point to consider is whether the adoption of this amendment would result in the withdrawal of the Bill. It is an amendment which, if accepted by the Commons, would only defer the settlement of the question of what the rates should be. The whole discussion seems to be upon the rate of postage. There is another and very important point that has been urged and properly so by the Press Association, and that is the classification of matter that passes through the mails. How far has the Postmaster General been justified in the past in declaring certain periodicals, semi-monthly and some tri-weekly, as not being newspapers, and consequently subject to a much higher rate of postage? That is a very important point to be settled by the department hereafter, and if all these regulations must be approved by Parliament, before a change can

be made it will be seen at once that difficulties must arise. The Postmaster General's department will have to define what is a newspaper, and whether a scientific periodical or a periodical dealing exclusively, say with railways or inventions, can be classed at the lower rate of postage as a newspaper. Some representatives of the department say that certain periodicals can not be classed as newspapers. It is a very difficult point to decide what constitutes a newspaper, whether a periodical published daily or weekly, and containing current events of the day is to be defined only as a newspaper. All agricultural and other information is news to the party who takes such paper for the purpose of acquiring knowledge, just as much as the news published in an ordinary newspaper. That is one of the principal points. I thought that the press and those who took a different view from the Postmaster General on this question, never yielded the point that parliament should not have the sole power and control of imposing taxation, and I did think that whilst that point was not yielded, either by the representatives of the press or by my hon. friend and myself who took that view, we accepted the proposition made by the Postmaster General at the time when he said that he would see, before regulations were adopted, that they should be approved by the Treasury Board, and that at the meeting of the Treasury Board the representatives of the press should have an opportunity of being heard. Some representatives of the press said 'But the Treasury Board is the mere echo of the minister who submits certain reports to them for approval or disapproval.' I have had some thirteen or fourteen years experience on the Treasury Board, and I know that that idea is not correct, unless the members of the present Treasury Board are different from those that formed it when I was one of the members. I have often made recommendations which have been rejected by the Treasury Board. I thought that as head of the department I knew what was in the interest of the department but I found others who thought they knew better than I did, and my recommendation was set aside. But it does not stop there; the Treasury Board may approve of the recommendation made by a minister but that has to be submitted to the Executive Council before it becomes law, and in very many cases the council rejects the recommendation of the minister, and of the Treasury Board. I make that statement in order to show hon. gentlemen that neither the head of a department nor the Treasury Board is paramount in any matter. I thought there was some force in a statement made this morning that in case rates and regulations were put in force of such a character that they would be detrimental to business, those who suffered from them would have to pay the increased rates of postage for five or six months, and at the end of that time would suffer loss. I saw the force of that, but when I suggested that Parliament might refund the excess charges, I was answered that the department might not refund it. I interviewed the Postmaster General and pointed out our fears. He at once said that in all cases where anything of that character occurred, the money would be refunded to the different parties who had paid it. I asked 'Am I at liberty to make that statement on your behalf when the subject comes up?' And he said yes. That ought to meet the objection that has been raised as to the increase of portage rates but it may be said, 'We have no confidence in the Postmaster General; we do not believe what he says, and perhaps he will not do it.' Even though they have no confidence in him, when a statement of that kind is made in Parliament, I care not who the minister may be or what his political views may be, his decision would be reversed at once, and he would be condemned by the representatives of the people,—and more particularly in the case of imposing postage upon newspapers. I would advise those who are so deeply interested in this matter to accept the assurances given by the Postmaster General, that in case of any one having been subjected to excessive rates, which have not been approved either by the Treasury Board or by Parliament, the excess payments will be refunded. There is another point which the Senate should consider: if we adopt this amendment and the Bill is not accepted, then I suppose we revert back to what existed prior to the introduction of this measure. The Bill deals with very many other points of interest besides that of postage, and will materially affect other interests. The new sections of the Post Office Act refer to the qualifications of a superintendent, which is a very important point, and the law on that subject should have been amended long ago. Then there is the appointment of and the salary of railway mail clerks, which has been the subject of much controversy for years. The initial salary

paid to those clerks should be at least $600 a year; it is only $500 at present. Then we find the fourth clause repealing another clause. I am not at this moment ready to explain what this is. Then the Bill provides for temporary employment, also permanent employment. Then it provides for what is equally important in the administration of any department, the qualification of those who have the transaction and management of the business to which they are appointed; it provides for an age limit, which is not provided for at present; it repeals certain clauses; it deals with letter-carriers, and the insurance of letters, and some other minor matters. These will all remain as they are now if this Bill is so amended as not to be accepted by the House of Commons. The gentleman who represents the Government here tells us that if this amendment be made, the Government will not accept it, and consequently the Bill will have to drop. I was very much amused at the declaration of my hon. friend the senator from Killarney (Hon. Mr. Young) when he stated that the amendment could in nowise be considered a want of confidence in the Government. There was a simplicity about that declaration that rather amused me, coming from a gentleman of the experience of that hon. senator. This amendment makes the provision, that no matter of what character the regulations may be, in reference to what constitutes a newspaper, or what the rate of postage may be, or to what extent the zone may covered, and the rates of postage imposed upon it, they cannot become law until they are referred to Parliament for its sanction. I do not think it is possible to devise any stronger language to express a want of confidence in the Postmaster General. But let us consider this: is there not sufficient protection to the newspaper business under the present law? First, all regulations must be approved by the Treasury Board and subsequently by the council, and after that they have to be sent to Parliament at the first session after which the regulations are drawn up, and Parliament has to be asked whether they approve or disapprove of them. To my mind they are going quite far enough, except in the one point to which I referred, and which I would like to see adopted—but you are not adopting it by the proposition now before the Senate. If you adopt this amendment depend upon it all the improvements and amendments to the Act provided for in this Bill will be lost until Parliament meets again. Then it will be reintroduced, and a law will be passed containing all those improved amendments to the Post Office Act, in the meantime those affected must suffer.

Hon. Mr. BOSTOCK—I have listened very carefully to what the hon. gentleman from Hastings (Hon. Sir Mackenzie Bowell) has said, and he certainly has not convinced me as to the advantage of allowing this clause to go through as it is. The amendment proposed to the clause is a very much more satisfactory and straightforward way of accomplishing the object. The proposition that rates are to be fixed by the Treasury Board, and then if not agreed to by Parliament, the newspaper men are to have their money returned to them later on, is rather complicated. That sort of arrangement always leads to a good deal of trouble and annoyance. The hon. gentleman then went on to talk about the Bill itself, and he and the leader of the Government held up to us the statement that if those clauses were not adopted in the way that it is brought down, that the whole Bill would be withdrawn. Hon. gentlemen on this side of the House are not going to alter their course on account of a statement of that kind, because we have had a similar statement once before this session. A clause of the Bill was withdrawn because we had amended it, and afterwards the Bill was brought up again, and another clause substituted for it.

Hon. Sir MACKENZIE BOWELL—Did I understand the hon. gentleman to say that I said that the Bill would be dropped if the amendment were adopted?

Hon. Mr. BOSTOCK—I understood the hon. gentleman supported the position taken by the leader of the Government.

Hon. Sir MACKENZIE BOWELL—What I said was that the leader of the Government had made that statement.

Hon. Mr. BOSTOCK—The amendment suggested is decidedly an improvement, and I think we ought to pass it.

The House divided on the amendment, which was carried on the following division:

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Hon. Mr. TAYLOR—I am paired with the hon. member from Prince Albert (Hon. Mr. Davis).

Hon. Mr. MURPHY—I am paired with the hon. member from Prince.

The SPEAKER—The question is now on the motion of Hon. Mr. Lougheed, as amended.

The motion was declared carried.

Hon. Mr. Young—Is it not necessary that there should be a message sent to the House of Commons?

Hon. Mr. LOUGHEED—I have no motion to make.

The SPEAKER—Yes, but who is going to send the message? The hon. leader of the Government says he has no motion to make.

Hon. Mr. WATSON—I wish to say that I think it is absurd and childish to think that legislation can be dealt with in thi way. Here is a Government Bill dealing with a great many other matters than the rates of postage, a regular omnibus Bill, yet because a small portion of that has been defeated we are informed that the Government are going to drop the Bill in the Senate, and not return it to the House of Commons where the responsible minister is concerned. I say it is childish and trifling with legislation. This Bill deals with salaries, officials and a great many other things, yet for the sake of one small item, which is separate and distinct, and which could have been introduced in a separate Bill altogether the whole Bill is to be dropped because this Senate has decided with a very distinct voice that that matter should be left to Parliament, where it has been for the last forty years.

The SPEAKER—I thought your intention was to wind up the motion.

Hon. Mr. BOSTOCK.

Hon. Mr. WATSON—No, I am not winding up the motion.

Hon. Mr. LOUGHEED—I should like to make the observation that it is not necessary for the Government, nor for any member of the Government to take any suggestion from the hon. member from Portage la Prairie (Hon. Mr. Watson) as to how they shall discharge the public duties entrusted to them.

Hon. Mr. WATSON—I wish to express my opinion on it, though.

Hon. Mr. LOUGHEED—I might further say that any opinion which the hon. gentleman from Portage la Prairie (Hon. Mr. Watson) might have on a subject of this kind is absolutely immaterial to the Government, or any member of the Government.

Hon. Mr. WATSON—It may be.

Hon. Mr. CLORAN—What becomes of the Bill if there is no motion made?

Hon. Mr. POWER—This is a matter to which probably the hon. leader of the Government has not given quite sufficient consideration. We sent three amendments down to the House of Commons, the Commons accepted two of our amendments and did not accept the third; and we have had a message from the House of Commons, and the Bill is in this House now. It is a Commons Bill and as a matter of Parliamentary courtesy the Commons have a right to get the Bill back with our decision on it. They said they would not accept our amendment, and they have a right to know whether we insist on the amendment or not. While one cannot very well compel the Government to push a Bill that they have decided to abandon, I think the place to abandon this Bill is in the House of Commons. The Bill originated there with the Government, and it is most irregular and likely to be a dangerous precedent, that when a Government Bill is amended in this House the member in charge can say that he drops it. As a matter of courtesy to the other Chamber we are bound to send an answer to their message. Personally I do not care very materially about the fate of the Bill one way or the other; we have got along for a great many years without it, and I suppose we can stand it a few months more.

Hon. Mr. CLORAN—It will be the opinion of the public that the Government is treating the Senate with contempt.

Some hon. GENTLEMEN—Order, order.

Hon. Mr. CLORAN—The Government, in acting as it is doing now, has treated the Senate with contempt and strangling their own child. If they want to kill this Bill, they should not kill it here by stifling it.

Hon. Mr. BEIQUE—I understand that when no motion is made the Bill remains on the Order for the Day.

Hon. Mr. CLORAN—Let it remain there until next session.

The SPEAKER—There is no motion at all. The Bill is amended by this House, in its last form.

Hon. Mr. BEIQUE—It will remain on the Order Paper.

Hon. Mr. YOUNG—No, the order is complete.

Hon. Mr. CLORAN—It is not complete.

Hon. Mr. POWER—It will remain.

The SPEAKER—In what way?

Hon. Mr. BEIQUE—Anybody can move at the next sitting of the House for the message to be sent.

The SPEAKER—How can anybody move for a message to be sent about something that is not on the Order Paper?

Hon. Mr. KERR—There is a motion before the House. The leader of the House moved a motion when he presented this Bill this afternoon; that is how it came.

The SPEAKER—The motion of the hon. leader of the House as moved is that this House does not insist on its amendment. That carried as amended. Well, this House does not insist. There is another move to make.

Hon. Mr. BEIQUE—But that move can be made either now or at the next sitting of the House.

The SPEAKER—It can be made at this sitting of the House, if the Government or anybody takes up the question and makes a motion, but we cannot put it on the Order Paper.

Hon. Mr. DANDURAND—My recollection of the practice, when I had the honour of being in the Chair, was that the House having taken the last step, and having given an answer to the message from the Commons, the Chair as a matter of course ordered a message to be sent to the House of Commons. I would like His Honour the Speaker to look up the point and see if it is not the duty of the Chair to order that the clerk carry the message to the Commons.

Hon. Mr. POWER—The House having expressed its opinion on this question, its decision should be carried out. The hon. gentleman who had charge of the Bill declines to make the necessary motion to communicate our decision. Then it is the right of the hon. gentleman from Toronto to make the motion.

Hon. Mr. DANDURAND—Is there any necessity for the motion?

Hon. Mr. POWER—Yes. Perhaps the hon. Speaker could make the order without any motion. Still it is better that the hon. gentleman from Toronto should make it.

The SPEAKER—There was never a Speaker so diffident as I am.

Hon. Mr. BEIQUE—I was inquiring as to whether it was necessary to make a motion now, or whether the motion would be in time if made at the next sitting of the House? We have received a message from the House of Commons refusing to accept that particular amendment, and the House has now decided that it does not insist on its first amendment, but substitutes another amendment. It will be open to the Commons to agree to that or not, and that message must be sent. I hope the hon. leader of the Government will reconsider his decision, and at the next sitting of the House will move that a message be sent to the Commons.

Hon. Mr. WATSON—I would like to say that my remarks with reference to a member of the Government were not attributed to the hon. gentleman who leads this House. They were more particularly directed to the Postmaster General who is responsible for the legislation, because he apparently is bound to force this provision through, fastened up with other provisions in the Act which some people would like, and my remarks with regard to the conduct of the minister of the Cabinet in presenting this Bill in this shape was not a reflection on the leader of this House.

The SPEAKER—If I do not order that a message be sent to the House of Commons it is because I do not feel that I am ordered to do so by the Chamber. If the House wants me to make the order I will give it, but when the leader of the Government declines to make the motion I cannot take upon myself to do it.

Hon. Mr. LOUGHEED—Will the House permit me to say to my hon. friend from Portage la Prairie, in view of the explanation he has made, that if I have made any remarks which would have been construed as discourteous to him I gladly withdraw them. Permit me to say in reference to the apparent dilemma in which we find ourselves placed with regard to this Bill, that this is a Bill sent down from the House of Commons with a message in which it was intimated that they did not agree with our amendment but would be prepared to accept another particular and stated amendment, and the amendment was moved accordingly by myself. My hon. friend from Toronto has practically taken that amendment out of my hands. My hon. friend having amended the Bill to the extent that he has done and in a manner which I believe the Government cannot accept, it is his duty to take charge of the Bill during the remainder of its stages in this House. My hon. friend can make the motion that a message be sent down to the House of Commons informing the House as to what this Chamber has done. If he chooses to do that he of course is at liberty to do so.

Hon. Mr. KERR—With the permission of the House I will take into consideration the suggestion which has been made by the leader of the Government.

Hon. Mr. LOUGHEED—I am not making the suggestion ironically.

Hon. Mr. KERR—I would not like to rush in and assert a right so newly won. I will take time to consider it.

Hon. Mr. POWER—I call the attention of the hon. gentleman from Toronto (Hon. Mr. Kerr) to the fact that, in the case of the Good Roads Bill a couple of years ago, the leader of the Government assumed the same attitude he has taken in respect to this matter, and a member who had voted in the majority made the necessary motion that the message be sent to the Commons. I take very little interest in this measure, but the hon. gentleman from Toronto takes a good deal, I understand. If he makes no motion, and no hon. gentleman gives notice that a motion will be made at the next sitting of the House, the Bill is practically dead.

Hon. Mr. BEIQUE—I move that a message be sent to the House of Commons returning the Bill with an amendment substituted for the amendment to which the House agrees.

The SPEAKER.

The motion was agreed to on division.

The Senate adjourned until to-morrow at 11 a.m.

THE SENATE.

THURSDAY, June 11, 1914.

The SPEAKER took the Chair at eleven o'clock.

Prayers and routine proceedings.

THE TARIFF.

DEBATE RESUMED.

The Order of Day being called.

Resuming the adjourned debate on the resolution of the Honourable Mr. Power:

That this House regrets that the Government, having decided to alter the tariff, have made no effort to lessen the cost of living by removing or substantially reducing the duties upon the necessaries of life.—Hon. Mr. McKay (Cape Breton.)

Hon. Mr. POWER—It is a question as to whether this matter should stand any further. It was the right of the hon. member who made the motion to, at any rate, supervise its conduct through the House. On motion of the hon. gentleman from Cape Breton (Hon. Mr. McKay) the debate was adjourned until this morning.

Hon. Mr. LOUGHEED—The hon. gentleman from Cape Breton, (Hon. Mr. McKay) spoke to me this morning as to whether this motion would be proceeded with, and it may be my fault, because I informed him that I did not think the House would go on with it to-day.

Hon. Mr. POWER—I am surprised that the hon. gentleman from Cape Breton should have been in any doubt about the matter, because I spoke to him yesterday and said I supposed he was prepared to make his speech, and the hon. gentleman intimated to me that he thought it was all over, and did not feel that he was just ready. He said 'I suppose you do not propose to go on' and I said, 'yes, I propose to go on.' And how the hon. gentleman could after that have asked the hon. leader of the House whether we were going on with it or not, I cannot understand.

Hon. Mr. LOUGHEED—He rather thought the debate was pretty well exhausted, and that all interest had ceased.

Hon. Mr. POWER—No, the subject is an interesting one, and interests the whole country.

The SPEAKER—The hon. gentleman has a right to reply.

Hon. Mr. BEIQUE—I had hoped that the hon. gentleman would not insist upon a division taking place on the question at this late date of the session, a large number of members having left for home.

Hon. Mr. POWER—I am quite aware of that.

Hon. Mr. BEIQUE—I hoped that the hon. gentleman would not have insisted on proceeding further with the motion during the present session. The subject was fully discussed and speeches were made by several members of the House.

Hon. Mr. POWER—The hon. gentleman will see that I was not particularly anxious to make a speech at the beginning. I felt that it was desirable, in the interest of this House as well as of the country, that the Senate should express an opinion on the proposition embodied in the resolution. If you simply say the debate petered out and was dropped, that does not count for much.

Hon. Mr. ROSS (Middleton)—I would suggest to the hon. gentleman from Halifax that he drop the matter with the understanding that he move it again next session.

Hon. Mr. POWER—Oh, no. Each session is independent of the other.

Hon. Mr. CLORAN—And people are starving in the meantime.

Hon. Mr. ROSS (Middleton)—It is too warm to discuss this question now. I would like to discuss it, but not on a day like this, and if the hon. gentlemen would let the matter drop, and bring it up at the beginning of next session hon. gentlemen could prepare themselves for it and we could have a very full and instructive debate.

Hon. Mr. CLORAN—Hon. gentlemen—

Hon. Mr. POWER.—I was going to say that under the circumstances there is no object in discussing the matter any further now.

The SPEAKER—The floor is being occupied by the hon. gentleman from Victoria division.

Hon. Mr. CLORAN—I find it exceeding strange that responsible legislators are content with an academic discussion of the most live question in politics, and a question which interests most of the people of Canada. Are we to go before the country as a simple debating society, a mock parliament? I hear hon. senators say, 'Oh, the question has been fully discussed and dropped—withdrawn!' What does that mean? Does it mean that we may discuss the question, but we are incompetent to place ourselves on record with regard to it? I heard the hon. gentleman from De Lorimier make a great speech on a question, denounce the policy of the Government, support the views of the hon. gentleman from Halifax, and wind up his remarks by saying, 'Oh, well, it is only academic; the Senate cannot deal with the tariff.' Well, that kind of statement does not go to build up the reputation of the Senate.

Hon. Mr. DANDURAND—We differ on that point.

Hon. Mr. CLORAN—Certainly we differ.

The SPEAKER—I would ask the hon. member if he has not already spoken on the subject?

Hon. Mr. CLORAN—I am speaking on the motion to discharge the order.

Hon. Mr. POWER—I have not made a motion to discharge.

The SPEAKER—There is no motion to discharge. If the hon. member has already spoken——

Hon. Mr. CLORAN—No, I have not spoken. It is a very strange position for a legislature responsible to the people of the country, and responsible to the respective parties to which they belong, to take that it can do nothing more than engage in a futile and empty discussion. That is not a proper attitude for any responsible legislative body to take, especially in regard to a question of such vital importance to the country. If there is one question which divides the two great parties that on the one hand control and on the other criticise the destinies of this country, it is this very question embodied in the motion of the hon. member from Halifax. It is the great line of cleavage between the two parties; and the two parties are represented in this House say what you will. I hear some hon. gentleman say that we are a non-partisan body. That declaration has been made so often that it has become tiresome. This Senate is as partisan as the House of Commons.

Hon. Mr. MURPHY—Worse on the other side of the House.

Hon. Mr. CLORAN—And the people expect it to be worse. It is all very well to say, 'We are a judicial body, a non-partisan body,' but the people know that senators nominated by the Conservative party vote for Conservative measures, except on very rare occasions as in the case of the Farmers Bank Bill, and in that instance they did it with the consent and probably on the instruction of the Government.

Hon. Mr. MURPHY—They did not; take it back.

Hon. Mr. CLORAN—I did not say that positively, I said probably. Everybody expects them to do it, and they do it. They look over to this side and they want non-partisanship. The Government proposes the measure, and if the majority of the House as at present constituted deems it advisable and necessary in the interests of the country and—I will limit it to the interests of the great Liberal party—to curtail demands of any minister or of the whole Government, we are told by the leader of the Government that if we do not accept the Government measure as drafted it will be withdrawn, they will kill the measure and smother the child, they will not have it live. Is that a dignified attitude for any government responsible to the people to assume?

The SPEAKER—I do not see how the hon. gentleman's remarks apply to the question of reducing the necessaries of life, which is the matter before the House.

Hon. Mr. CLORAN—Of course, if the Speaker is the embodiment of the entire intelligence of the House I will have to bring my remarks to a close.

The SPEAKER—The hon. gentleman should confine himself to the question before the House and not debate a matter that was dealt with yesterday.

Hon. Mr. CLORAN—The facts to which I am alluding are parallel facts to illustrate the situation and I am keeping close to the subject. The hon. member from Halifax is justified in maintaining his ground. True we have no power to deal with the schedules of the tariff but it is our right and our obligation to criticise any proposition regarding the tariff. We are here to tell the people of this country what the Senate thinks of that question, and how will the country know what we think unless we put ourselves on record, not merely by arguments, but in an official way, and the only official way is by a vote. The appeal of the hon. member from Halifax is justified, and I hope he will stick to his gun. It is properly directed and has no blank cartridge, and he will find that he is not alone. I know that on the other side of the House our Conservative friends vote in a solid phalanx, and will oppose this measure, because the principle which it embodies is directly opposed to the policy on which they stand and on which they stood during the eighteen years they were in power. If the Conservative party on the other side find themselves obliged, owing to their allegiance to that principle and to their party to vote in a certain way, why should not the Liberals stand by the great principles which carried them into power in 1896 and kept them there for fifteen years? The Liberals throughout the country would feel encouraged by an official declaration by the Liberal party in this House in favour of the principle involved in the motion of the hon. gentleman from Halifax. I do not travel under a cloud; the principles that I advocate outside the House I advocate inside, and I want the people of the country outside to know that I am not afraid of my own shadow. I admire the cohesiveness of the Tories in their own ranks. I strive to the best of my ability to follow their example in that regard, but I regret in the Liberal party there is not that same strength of cohesion. That is the difference between us. It is needless to discuss the merits of the proposition further. We all know that a protective tariff is to the poor man's detriment and the rich man's benefit; but the Tory party will not admit that. The best statement made on the floor of the House in regard to this matter was the one made by the hon. gentleman from Lindsay (Hon. Mr. McHugh) when he said protection meant the enrichment of the manufacturers, and the impoverishment of the consumer. I hope the Conservatives will agree with me when I say that a protective tariff means the impoverishment of the national treasury, and the swelling of the bank account of the manufacturer. How does that come about? I shall assume for the purpose of argument that I am a protectionist; I am manufacturing a certain line of goods upon which I ask the Government to grant me from thirty to forty per cent. protection. With what result? The tariff on the line of goods I manufacture will not allow the goods from a foreign country to come in competition with me. I make them almost as cheaply as the United States,

German, French, or English manufacturer. I make my article for a dollar. In the United States the same article is manufactured for a dollar, in England, France and Gemany the same thing. What is the result of my being a protectionist and getting the Government to give me thirty-five per cent protection on my goods. It is this when the German, English, French or United States manufacturer brings that line of goods to Canada it costs me a dollar. He cannot get into Canada unless he pays the additional 35 per cent. What do I do? It costs me a dollar to manufacture that article, and knowing that it costs the other fellow just as much, and that he will pay 35 per cent. extra into the treasury of Canada, before getting his goods into Canada, what do I do? I sell my artitcle at $1.30, it is just as good as the United States, German, English or French article, and the result is that the others are barred and cannot compete with me. I have the benefit of an extra profit of 30 cents on that article, so that the protectionist, instead of paying tribute to the National Treasury of Canada, puts the profit of his business into his own banking account. If the national treasury were to depend on what the protective manufacturers contribute they would be starved to death. There would not be one cent in the treasury. The manufacturer contributes not one cent to the national treasury of Canada, and the only man to contribute out of one hundred millions this year, I understand, is the importer. The post office is a self-sustaining institution. We do not count upon the post office for revenue, but we count on the customs house. What were the importations last year? Nearly half a million, upon which they paid an average of 20 per cent. or 18 per cent. exclusive of the raw materials that come in free, making up a revenue of nearly seventy to eighty millions. Out of the inland revenue, which is within the limits of Canada, we obtained a revenue of fifteen to twenty millions. These are the only two sources of revenue this country can count on to build its railroads and its canals, to open up the Northwest, to encourage immigration, to build all kinds of public works. What does the manufacturer contribute to it? Not a cent. It is the importer, the so-called free trader, the revenue tariff man who pays that money in; that is he pays it, but he finally collects it from the consumer. When he has to pay thirty-five cents protection on an article that costs him a dollar, he makes his rate to the consumer accordingly. So that in the long run the consumer is the individual who pays the money, and if it were not for the importer Canada would be stranded, would not have a cent to spend on its great national undertakings. What have the protectionists and Tories to say to that argument? If protection is good to keep out importation raise the tariff so high that no foreigner will have a right to come here to sell his goods. That is what they tried in the past, they succeeded so well that they brought the country to a condition of things that became so unbearable, so that after eighteen years of that policy the people drove them from power in 1896. The Liberals came in, reduced that tariff, established a new line of fiscal policy between the colony and the mother country. Sir Wilfrid Laurier established a preference between the mother country and Canada, and the tariff was reduced with the result that Canada's revenue, which under the high protection tariff was only about thirty-eight to forty-two millions in 1896, with over six million people, rose in three or four years under the Liberal policy to eighty or one hundred millions.

The SPEAKER called attention to the fact that the House was without a quorum. The Sergeant at Arms was instructed to call in the members, and his report having been read the Speaker announced that a quorum was present, and called upon the hon. gentleman to proceed.

Hon. Mr. CLORAN—I was stating that the result of the protectionist policy was to impoverish the national treasury, whilst that of the Liberal policy, introduced in 1896, has replenished it to such an extent that it has become a cause of wonder to our own people and to many civilized nations. The effects of the Liberal party have been beneficial not only to Canada but to the empire. The Liberal party, which is always held up on the eve of an election and during it as the disloyal party, is the only one that has done any good to the British Empire. It aided the mother country in times of stress, when involved in the Boer war in South Africa; it assisted the workmen of England and the great manufacturing centres of the United Kingdom by giving them a preference over all other people with whom we had trade relations. Notwithstanding all those benefits to the empire, the Tory party still when involved in an election clings to that hideous cry against the Liberal party of disloyalty. I

wonder when the people of Ontario, who seem to take stock in that cry will cease to believe it. They are the only people in the Dominion who do so except a few in New Brunswick, and mighty few in Quebec. I believe the great West is free of such foolishness.

The Liberal party established a naval policy on behalf of the British Empire as well as on the behalf of Canada, while the Tory party have a half-and-half kind of a policy in the shape of a contribution of $35,000,000,—which meant nothing; there was no principle in the proposition and nothing of guidance for the future. The policy of the Liberal party remains on the statute-book in the Naval Service Act whereby the British Empire was to have all the aid that Canada could give.

When the Conservative party, led by Sir John Macdonald introduced the National Policy in 1878, the country was in distress, there was a great upheaval in the entire financial world, and unfortunately at that time one of the best governments that Canada ever had, under Mackenzie, had to bear the blame for that condition of things, and it went to the wall on those two cries; distress in the country and protection as a cure. Sir John Macdonald, an unbeliever in protection, inaugurated his policy for the purpose of getting into power, and when he got in he found he had to go further than he ever dreamed of. His first raising of the tariff was comparatively easy, but he found that the manufacturers were exacting, and as they contributed large sums of money for election purposes, the Government had to accede to their demands and raise the tariff from session to session until it became so oppressive that the country was returning to the condition of things which existed in Mackenzie's time. There was no work, there was no wealth in the country, the population was being drained by the hundreds of thousands to seek a living in the United States. The farmers have their farms mortgaged up to the handle. What a pity the late Sir Richard Cartwright is not here today to give us his views on this question. He gathered the data and the statistics regarding the mortgages on the farms of the Ontario farmers, which amounted to hundreds of millions. In Quebec it was the same way, and in Prince Edward Island, which I love dearly, where I spent many a pleasant day, I know that in 1896 the farmers were poor, were practically paupers. They had little or no money in the banks, and all due to the protective policy.

The SPEAKER—I take notice once more that there is no quorum in the Chamber. The Sergeant-at-Arms will please notify members.

The SERGEANT-AT- ARMS retired, and after some time returned to the Chamber.

The SPEAKER—What is the report from the Sergeant-at-Arms?

The SERGEANT-AT-ARMS—I have gone to the adjoining rooms and summoned the senators.

The SPEAKER—Pursuant to the rules of this House, I declare the Senate continued until 3 o'clock this afternoon.

SECOND SITTING.

The SPEAKER took the Chair at Three o'clock.

Routine proceedings.

THE TARIFF.

A POINT OF ORDER.

Hon. Mr. CLORAN—Before the Orders of the Day are called, I desire to have the Speaker's ruling on a point of order. When the Senate was dismissed this morning—not adjourned—for want of a quorum, there was a motion under discussion. Does that not take precedence of everything else? There was no motion to adjourn, so that this is a continuous sitting.

The SPEAKER—There is no point of order in that. I am not obliged to express any opinion, but I think it usual when the House adjourns—

Hon. Mr. CLORAN—The House did not adjourn.

The SPEAKER—I adjourned the House.

Hon. Mr. CLORAN—The Hon. Speaker dismissed the House. He could not adjourn it, because there was nobody here to move the adjournment.

The SPEAKER—I do not want to enter into discussion on that point.

Hon. Mr. POWER—Chair, chair.

Hon. Mr. CLORAN—I am looking to the Chair.

The SPEAKER—When the House rises and adjourns, the matter under discussion falls. You would require a motion to have it placed back on the Order Paper.

MONTREAL HARBOUR COMMISSIONERS ACT AMENDMENT BILL.

THIRD READING.

Hon. Mr. LOUGHEED moved that the House reconsider in Committee of the Whole Bill (221), An Act to amend the Montreal Harbour Commissioners Act.

Hon. Mr. DAVID—Will the hon. leader tell me if he has decided to accept the amendments which I proposed the other day?

Hon. Mr. LOUGHEED—Yes, I am content to agree to the amendments which the hon. gentleman from Mille Iles proposed yesterday, namely, confining the application of this Bill to property within the limits of the harbour of Montreal.

The motion was agreed to, and the House went into Committee of the Whole on the Bill.

In the committee.

On clause 1.

Hon. Mr. POWER—What is the amendment?

Hon. Mr. LOUGHEED—The proposed amendment is in line 10, following the word 'harbour' the words, 'And being within the limits thereof' shall be inserted. There is a similar amendment in line 26, following the word 'harbour'.

Hon. Mr. YOUNG—What would be the effect?

Hon. Mr. LOUGHEED—The effect would be this, that any property outside of the limits of the harbour would be subject to any taxation which previous to this legislation it would not have been subject to. That is to say, it does not disturb the existing condition of things, as to those particular properties.

Hon. Mr. YOUNG—So far as this particular property is concerned, you are leaving it in exactly the same position as it was before.

Hon. Mr. LOUGHEED—Yes, exactly.

The clause was adopted.

Hon. Mr. BOLDUC from the committee, reported the Bill, as amended.

The amendments were concurred in and the Bill was read a third time and passed as amended.

The House adjourned during pleasure.

After some time the House was resumed.

It being six o'clock, the Speaker left the Chair.

After Recess.

The SPEAKER took the Chair at Eight o'clock.

Routine proceedings.

SUPPLY BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill (228), An Act for granting to His Majesty certain sums of money for the financial years ending respectively 31st March, 1914, and the 31st March, 1915.

The Bill was read the first time.

Hon. Mr. LOUGHEED moved the second reading of the Bill.

He said: In moving the second reading of this Bill I would say that:

Schedule A—Is the balance of Supplementary Estimates aggregating $3,256,036.05 brought down during the present session for the fiscal year ended March 31, 1914, not included in the Appropriation Act No. 1, schedule C, passed during the present session, as follows: Chargeable to Consolidated fund, $1,344,175; chargeable to Capital, $21,200; total, $1,365,375.

Schedule B—Being approximately five-sixth balance of Main Estimates aggregating $159,443,518.69, brought down during the present session for the fiscal year ending March 31, 1915, and not included in Appropriation Act No. 1, schedule B, passed during the present session, as follows: Chargeable to Consolidated fund $75,720,-463.69; chargeable to Capital, $33,236,291.66, total, $108,966,755.35.

Schedule C—Being composed of the Supplementary and further Supplementary Estimates brought down during the present session, for the fiscal year ending March 31, 1915, as follows: Chargeable to Consolidated fund, $9,726,197.51; chargeable to Capital, $7,772,715; total, $17,498,912.51.

Schedule A, for 1913-14, $1,365,375.00
Schedule B, for 1914-15, $108,966,755.35.
Schedule C, for 1914-15, $17,498,912.51.

Supply Bill No. 145, Appropriation Act No. 1, assented to 3rd April, 1914, provided for expenditure for the fiscal year ending March 31st, 1915, as follows:

Schedule A	$ 28,544,912.22
Schedule B	21,816,434.44
	$ 50,361,346.66

Schedules B and C as above ..	$126,465,667.86
	$176,827,014.52
Statutory for 1914-15	31,291,657.73
Total estimates 1914-15 ..	208,118,672.25
Total estimated expenditure for the fiscal year ended March 31st, 1914:	
Estimated expenditure voted for 1913-14..	$177,710,187.90
Statutory 1913-14.	28,203,014.84
Total estimated expenditure for 1913-14	$205,913,202.74

Hon. Mr. BOSTOCK—Will the hon. gentleman give us the total figures voted so far?

Hon. Mr. LOUGHEED—The appropriation which we voted on the 3rd April last contained two schedules, schedule (a) $28,544,912.22, schedule (b) $21,816,434.44; total, $50,361,344.66.

Hon. Mr. BOSTOCK—That is the total we have voted up to the present time, for this year.

Hon. Mr. LOUGHEED—Yes. Everything is included in that. Last year's supplementaries, whatever supply was voted on the 3rd April last, together with the supplementaries for 1914 and 1915, and of course including the Main Estimates.

Hon. Mr. POWER—Two hundred and eight millions total.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BOSTOCK—We may expect to have another Supply Bill before we finish.

Hon. Mr. LOUGHEED—No, this is the whole of the Supply Bill.

Hon. Mr. CLORAN—It would be well for the country to know why the Government spent $208,000,000 when they have a revenue of practically half that amount. That is the great question which is going to puzzle the ordinary elector of the country—$208,000,000 for one year—and what is the revenue? $110,000,000 or $120,000,000. Does the Government of the day think that will appeal to the people of the country who have to pay the money? It is so easy for the Government—though I am not blaming them for anything that was done—to put in the Estimates sums of money that are not required and should not be appropriated. Take for example the Militia Department. I understand that, under the present Administration, they are appropriating anywhere from ten million dollars to fifteen million, if not more, for the extravagant—I shall not say useless—administration of that department. Will the people not have a right to say a word in regard to that? I think they will, though they have not now. I know the condition of affairs in the House of Commons will not allow them to object to the demands of the Minister of Militia for from ten to fifteen million for the administration of his department, an absurd amount, a dishonest amount. If you want to know the opinion of the people, it is that this country should not and cannot stand an annual expenditure of ten million dollars to fifteen million dollars on soldiers who never fire at anything but targets, and who will never be called upon to do anything else. Does not the Government appreciate the situation, and understand that the farmers of this country will not and cannot afford to stand the expense? They ought. There ought to be at the head of the department a man who would call off that expenditure on brass buttons, and gold braid, and put it into ploughs—put it into the development of education and the agricultural and other development of the country. But no, we have a minister at the head of that department who is prepared to spend the last cent that Canada has on behalf of his department. Is that not a serious question for the Senate to discuss?—for that is all we can do; we cannot amend it, unfortunately. And so it is with the other departments. If the Government of the day want to appeal to the electorate of the country they will have to show a better fiscal statement than this.

Hon. Mr. KERR—Before the second reading of that Bill I would like to know from the hon. gentleman whether there is any other legislation to be brought down.

Hon. Mr. LOUGHEED—I know of no other legislation than what is before us, except the Redistribution Bill, and I doubt if the latter will reach us to-night.

Hon. Mr. CLORAN—And the senatorial question?

Hon. Mr. KERR—The Redistribution is the only Bill, besides that which is already before us.

Hon. Mr. LOUGHEED—There are two other matters here, and there may come down a message touching the Postal Bill.

Hon. Mr. BOSTOCK—I should like to have this motion adjourned until to-morrow morning. It is the only opportunity we have of discussing a question of this kind.

Hon. Mr. LOUGHEED—I have no desire to prevent discussion upon the Supply Bill, but I do not recall that it has been the practice in this House to discuss it.

Hon. Mr. DANDURAND—I know when the hon. member from Hastings (Hon. Sir Mackenzie Bowell) was on this side of the House he generally took advantage of the Supply Bill to speak until the cannon began to boom, and give us his views on the general expenditure of the country. The expenditure is creeping up to such an extent that it would be well if the older men in parliamentary life would express their views as to what is likely to be the outcome of it, at a time when we should be taking in sail. I have no idea how the income of next year is expected to compare with the expenditure. Could my hon. friend tell me that offhand?

Hon. Mr. LOUGHEED—Yes, the expenditure will very considerably exceed the income owing to the large expenditure on capital account, and owing also as my hon. friend will readily understand, to the legacies left by the late Government.

Hon. Mr. DANDURAND—I would not like to hurt my hon. friends feelings as a representative of the Government, but I should like to contrast the professions of economy that the hon. gentleman's friends made in another place, and in this Chamber before they came into power, with the course they have followed since attaining office. We do not object on either side to an expanding Budget in expanding times, but it seems to me that we are going at a wild pace under present conditions. The seven years of plenty are sometimes followed by seven lean years.

Hon. Mr. LOUGHEED—We have not overlooked that.

Hon. Mr. POWER—Suppose we give the Bill the second now, and let the third reading stand until to-morrow.

Hon. Mr. BOLDUC—Why not discuss it now?

Hon. Mr. POWER—What the hon. gentleman from De Lormier said is quite true: When the hon. gentlemen opposite occupied seats on this side of the House they generally discussed the Supply Bill until the Governor General came. It is an important subject, and there is no reason why we should not devote an hour to discussing it.

Hon. Mr. CLORAN—I take exception to the declaration made by the leader of the Government.

The SPEAKER—I suppose the hon. gentleman is speaking with the consent of the House.

Hon. Mr. CLORAN—Why do you interfere with me?

The SPEAKER—I am simply reminding the hon. gentleman that he is not in order.

Hon. Mr. CLORAN—The hon. leader of the Government said that this expenditure is owing to the legacies left by the Liberals to the Conservative party. I join issue with him.

Hon. Mr. BOLDUC—Order.

Hon. Mr. CLORAN—Who says order?

Hon. Mr. BOLDUC—I say order.

The SPEAKER—The hon. gentleman is out of order.

Hon. Mr. CLORAN—Of course I am out of order, but I am in the right.

The SPEAKER—The hon. gentleman should observe order.

Hon. Mr. CLORAN—You do not have to rule.

The motion was agreed to, and the Bill was read the second time.

Hon. Mr. LOUGHEED—I move that this Bill be read the third time to-morrow.

Hon. Mr. CLORAN—On that motion I have this to say—and I am in order now—

Hon. Mr. POWER—This is a formal motion, and the hon. gentleman is not in order.

Hon. Mr. CLORAN—It is bad enough to have the opposition disappear, as they did this morning, without having the Speaker interfere with my rights as an exponent of public opinion. The leader of the Government here has made a declaration to which the vast majority of the people of Canada will take objection.

Hon. Mr. TAYLOR—I rise to a point of order. If the hon. gentleman wants to discuss this matter, he must keep to the discussion of the motion.

Hon. Mr. CLORAN—I am giving the House a reason why the third reading should not be fixed for to-morrow. If I had the hon. gentleman's intelligence—

Hon. Mr. POWER—The motion which has been made by the hon. leader of the Government is a formal motion for the third reading of the Bill to-morrow. It is

not parliamentary for any hon. member to enter into a discussion of the Bill on that motion. If the hon. gentleman is able to point out that it would be better to consider the matter six months hence, he would be in order.

Hon. Mr. CLORAN—I am very thankful for the suggestion from the hon. gentleman from Halifax. He is so wise.

Hon. Mr. POWER—It is a pity some others are not a little that way.

Hon. Mr. CLORAN—But his lines of wisdom are not mine.

Hon. Mr. POWER—Thank goodness.

Hon. Mr. CLORAN—A sardine does not need to lead a herring. The leader of the Government in this House made a statement to which I take objection.

The SPEAKER—The hon. gentleman is not in order. The motion is to fix the third reading for to-morrow.

Hon. Mr. CLORAN—On that motion, I say that it should not be fixed for to-morrow, because the leader of the Government has made a statement which is not along the lines of facts.

The SPEAKER—The hon. gentleman has no right to discuss that question.

Hon. Mr. CLORAN—I am giving my reason why it should not be fixed for to-morrow.

The SPEAKER—That is no reason. The hon. gentleman may discuss it on the third reading, but he cannot discuss it on the motion to fix the third reading for to-morrow.

Hon. Mr. CLORAN—I am opposing the fixing of the third reading.

The SPEAKER—Well, vote against it.

Hon. Mr. DANDURAND—The hon. gentleman might give his reason.

Hon. Mr. CLORAN—Am I to understand that all I am permitted to do is to vote against a motion, without explaining why?

The SPEAKER—If the hon. gentleman does not know what to say he had better not say anything.

Hon. Mr. CLORAN—I know what to say but I do not like to say it. I have a right to vote against it, but I have no right to speak against it; that is the ruling? I am giving my reason why I am opposed to this motion. I hope His Honour the Speaker will not take himself to be the whole Senate in interpreting what I say as a free agent, representing a free people. I want the Speaker to understand that, as well as the other members of the Chamber. I am opposed to the motion because the leader of the Government stated here on the floor that this Bill was brought down in consequence of a legacy left to them by—

The SPEAKER—The hon. gentleman has no right to discuss that question. Is it the pleasure of the House that the motion be adopted?

Some Hon. GENTLEMEN—Carried.

The SPEAKER—The motion is carried.

Hon. Mr. CLORAN—No, it is not carried.

The SPEAKER—I declare it carried. The hon. gentleman has no right to discuss what has been said on the second reading as to the merits or demerits of the Bill. On the motion to fix the third reading for to-morrow he is only at liberty to give some reason why this Bill should not be read a third time to-morrow. He might give that reason to-morrow as well as to-night.

Hon. Mr. CLORAN—I would rather give the reasons to-night.

The SPEAKER—The hon. gentleman cannot discuss the question, and if he attempts to discuss the question I shall continue to call him to order and finally take proper measures to put him in order.

Hon. Mr. CLORAN—There is no doubt about that. I want to have it on the record of Parliament that free discussion is stifled in this Chamber by the action of the Speaker of the Senate—stifled by the Tory Speaker.

The motion was agreed to.

DEPARTURE OF THEIR ROYAL HIGHNESSES.

A message was received from the House of Commons with a humble address to His Royal Highness the Governor General on his approaching departure from Canada.

The Clerk of the House read the address.

Hon. Mr. LOUGHEED—The message from the House of Commons which His Honour the Speaker has just read reminds us that life is largely made up of welcomes and farewells. It seems as of yes-

terday that not only this Parliament but the whole of Canada joined in a spontaneous welcome to His Royal Highness the Governor General on his reaching our shores to fill the high office, the duties of which for nearly three years he has so popularly discharged, while to-day we take the first official step to express to His Royal Highness that farewell which so frequently follows the warmest welcome.

When His Royal Highness was appointed to the high office which he is shortly to vacate the people of Canada felicitated themselves for many reasons upon the important recognition which was thus accorded them by His Majesty the King in the selection which he had made. The loyalty of Canada to the empire is not only based upon the patriotism and love of its people for British institutions and for our long association as an integral part of the empire, but is also based upon its respect and its affection for the reigning family to which His Royal Highness belongs and which for over three-quarters of a century has filled the Throne of our imperial realm.

While Canada has been peculiarly fortunate in its many Governors General, all having been men of great distinction in the councils of the empire, yet we have peculiarly appreciated the appointment and presence in our midst of His Royal Highness, this not only on account of the traditions of the great and imperial Royal House which he represents but for his own person and for those qualities which have endeared him to the people of Canada. The signal services rendered by His Royal Highness in the many high offices of State which for nearly a generation he has filled in the widespread parts of the empire have placed him preeminently in the fore front of those distinguished servants of the State to whom the whole empire is indebted.

No former Governor General ever entered upon the office in Canada so well equipped with mature judgment and ripe experience as that which has charterized the official service of His Royal Highness. I have no doubt that the three years spent by His Royal Highness in this greater Britain of the overseas dominions will have so impressed him with the future and destiny of Canada that in him this country will have one of its best and most loyal friends in helping to promote while abroad the realization of that future to which we look.

Since his arrival upon our shores no high official of State ever identified himself more actively or more closely in the official and personal relations of the office which he filled. During the short period of his residence in Canada it may be said that he visited and came closely in contact with every part of the Dominion. He has favoured almost every community with his presence. He has actively identified himself with our public institutions. He has interested himself in our trade, our commerce and resources, and he has given a support and shown a sympathy in every phase of our national life. Upon his return to Great Britain Canada will feel that in His Royal Highness we shall not only find a friend familiar with our possibilities and potentialities, but one as enthusiastic as to our future destiny as any resident of Canada could possibly be.

For Their Royal Highnesses the Duchess and Princess Patricia the people of Canada will ever entertain the deepest regard and warmest affection. During their residence here they have struck a peculiarly responsive chord in the hearts and sympathies of our people throughout all parts of the Dominion, and we have the deepest appreciation for the gracious friendliness and sympathy which they have always displayed in their social contact with the people of Canada. We, therefore, have the most profound reasons for congratulating ourselves upon the pleasurable relations which for nearly three years have prevailed between the people of Canada and their Royal Highnesses in the discharge of their high social duties in the Vice Regal Office.

Wherever in the future His Royal Highness may go and whatever high duties of State he may be called upon to discharge the good wishes of the people of Canada will follow him, and in the future we shall pleasurably recall the presence in Canada of Their Royal Highnesses in their official, their social and personal relations with the people of this Dominion.

I therefore have very great pleasure in moving, seconded by the Hon. Mr. Bostock that the Senate doth unite with the House of Commons in this address to His Royal Highness the Governor General by filling up the blank space with the words 'Senate and'.

Hon. Mr. BOSTOCK—It is with great pleasure that I second the address which has just been moved for the consideration of the Senate. Canada has had in the past many distinguished men sent over from

Great Britain to fill the position of Governor General, but when His Royal Highness was appointed Canada was honoured above all the other dominions of the British Empire, in having a distinguished member of the Royal Family placed in this important office.

Since His Royal Highness arrived in Canada to take up the duties of this position he has ingratiated himself in the hearts of the people by the interest he has taken in the welfare of the country and in everything tending to promote its good and future prosperity. The sincere regrets that are now being given expression to in both Houses of Parliament at the approaching early departure of His Royal Highness from the Dominion are I am sure joined in most sincerely by the people throughout the Dominion.

During the trip that His Royal Highness made to the West, nearly two years since, his kindly and gracious manner and the trouble that he took to meet the people and acquire a true knowledge of the resources and the possibilities of development of the country endeared him to all who had the honour of meeting him, and those whom he met who had served under his command in other parts of the empire will cherish to their last moments the kindly greeting with which he received them.

During his time of office His Royal Highness has been indefatigable in promoting the interests of the whole Dominion. He has led a strenuous life, never sparing himself and always placing duty first and pleasure after. May I say that the splendid example he has set will have a far-reaching effect, especially on the younger generation throughout this great Dominion.

In his personal relations His Royal Highness has been distinguished by his genial courtesy and his kindness to all, he has taken a great interest in the literature and art of the country, as well as in all philanthropic and charitable undertakings, in times of trouble he has always shown himself sympathetic and he has ever been forward in helping where help was most needed, as when the cyclone disaster struck the city of Regina. I may also say that the active co-operation of Her Royal Highness the Duchess of Connaught during the time when her health allowed her to fulfil the exacting duties of her position has been deeply appreciated. We fear that at times her conscientiousness in fulfilling these duties may have been imprudent. Her unfailing graciousness has won all hearts, her kindly interest in all and her sympathy have been never failing, her influence for good has been far-reaching. The courage and unselfishness Her Royal Highness showed, when after her serious illness, and still far from well she again faced the strenuous duties of her life here stirred a feeling of admiration throughout the Dominion. Her Royal Highness will ever be remembered by the people of Canada with admiration, and, if I may say it, with feelings of affection.

It would be ungracious to close without referring to Her Royal Highness the Princess Patricia. She has won universal admiration. Often, when necessary, she has taken the place of Her Royal Highness the Duchess of Connaught always doing so with grace and charm. She has given pleasure to all who have had the honour of meeting her. It will be a long time before she is forgotten by the people of this country and she carries with her our best wishes for her future welfare.

It is with feelings of unmixed regret that we contemplate the departure of Their Royal Highnesses, and they take with them our strongest wishes for their future happiness.

Some Hon. GENTLEMEN: Hear, hear.

Hon. Mr. LOUGHEED moved, seconded by Hon. Mr. Bostock that this address be signed by the Speaker on behalf of the Senate.

The motion was agreed to.

INCREASED REPRESENTATION IN THE SENATE.

MOTION.

The SPEAKER—A message has been received from the House of Commons to inform the Senate that the Commons has adopted the following resolution:

Resolved, that a humble address be presented to His Majesty praying that he may graciously be pleased to give his consent to submitting a measure to the Parliament of the United Kingdom to amend certain provisions of the British North America Act, 1867, in the manner set forth in the draft Bill hereto attached.

An Act to Amend the British North America Act, 1867.

Be it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons, in the present Parliament assembled, and by the authority of the same, as follows:

1. Notwithstanding anything in the British North America Act, 1867, or in any Act amending the same, or in any Order in Council or

terms or conditions of union made or approved under the said Acts, or in any Act of the Parliament of Canada;

(1) The number of senators provided for by section 21 of the British North America Act, 1867 is increased from seventy-two to ninety-six.

(2) The divisions of Canada in relation to the constitution of the Senate provided for by section 22 of the said Act, is increased from three to four; the fourth division to comprise the western provinces, Manitoba, British Columbia, Saskatchewan and Alberta, which four divisions shall (subject to the provisions of the said Act and of this Act) be equally represented in the Senate, as follows:

Ontario, by twenty-four senators; Quebec, by twenty-four senators; the Maritime provinces and Prince Edward Island, by twenty-four senators, ten thereof representing Nova Scotia, ten thereof representing New Brunswick and four thereof representing Prince Edward Island; the western provinces by twenty-four senators, six thereof representing Manitoba, six thereof representing British Columbia, six thereof representing Saskatchewan and six thereof representing Alberta.

3. The number of persons whom, by section 26 of the said Act, the Governor General may, upon the direction of the King, add to the Senate, is increased from three or six to four or eight, representing equally the four divisions of Canada.

(4) In case of such addition being at any time made the Governor General shall not summon any person to the Senate, except upon a further like direction by the King on the like recommendation, to represent one of the four divisions until such division is represented by twenty-four senators and no more.

5. The number of senators shall not at any time exceed one hundred and four.

6. The representation in the Senate to which, by section 147 of the British North America Act, 1867, Newfoundland will be entitled, in case of its admission into the union, is increased from four to six members, and in case of the admission of Newfoundland into the union, notwithstanding anything in the said Act, or in this Act, the normal number of senators shall be one hundred and two and their maximum number one hundred and ten.

2. The British North America Act, 1867, is amended by adding thereto the following section immediately after section 51 of the said Act.

(51A.) Notwithstanding anything in this Act a province shall always be entitled to a number of members in the House of Commons not less than the number of Senators representing such province.

Hon. Mr. LOUGHEED—In explanation of this message which has been sent to us by the House of Commons, I might briefly say that this proposed legislation which is sought from the Parliament of the United Kingdom, has grown out of, not only the necessity but the general understanding for increased representation being given to the western provinces. When the provinces of Saskatchewan and Alberta were organized in 1905 provision was made for an increased representation of each province by two senators in this Chamber. No question has arisen as to the authority of the Parliament of Canada to make this increase. Under former legislation secured from the Parliament of the United Kingdom, express provision was made by which the Parliament of Canada could exercise its authority in that behalf. When the boundaries of Manitoba were extended in the session of 1912 provision was made for an increased representation in this Chamber of two members from that province. While the Government is of the opinion that Parliament is duly vested with authority to make these appointments, yet the opposite view has been expressed by some of the members of the Opposition in the House of Commons. Likewise the question has arisen as to the increased representation in the province of British Columbia. When British Columbit entered the union, the Act of union gave to that province a representation of three members in this Chamber, but no provision was made in that Act looking to an increase of Senate representation from that province. Consequently it conceded without any hesitation that to secure the necessary authority for the Parliament of Canada to give that increased representation, legislation would be required from the Parliament of the United Kingdom. Bills had been prepared for the increased representation to which I have referred, namely for the provinces of Saskatchewan and Alberta, upon which there could be no doubt; for the province of Manitoba, concerning which there is some doubt; and for the province of British Columbia, which it is conceded must require legislation from the Imperial Parliament. It was suggested as an alternative that legislation should be secured from the Parliament of the United Kingdom making provision for a fourth group. Under Confederation, there are three groups of 24 each represented in this Chamber—24 from the Maritime provinces, 24 from the province of Quebec and 24 from the province of Ontario. It is proposed therefore, that the vast country extending from the westerly boundary of Ontario to the Pacific coast should be another group of 24. I need not say that this representation will probably be more limited on the basis of population than obtains in any other part of the Dominion with the exception of the province of Ontario. Owing to the rapidly increasing population of those four western provinces, this representation of 24 will, according to the unit of population, be even more warranted than as to the

other three groups. Consequently no question can possibly arise as to the number proposed in this legislation. There is a further provision in the proposed legislation by which the number mentioned in section 26 of the British North America Act has been increased from three to four, and from six to eight. As it is now, the imperial authorities can, under certain conditions, give authority to the Dominion of Canada to appoint three or six senators as the case may be. It is proposed to increase that three to four, and six to eight. This clause of the British North America Act may be said to be inoperative; it has never been invoked except upon one occasion, in 1875, I think, during the Government of the late Mr. Mackenzie.

Hon. Mr. POWER—In 1877, I think.

Hon. Mr. LOUGHEED—In 1877, but the conditions did not apparently warant the imperial authorities in consenting to the representations which were then made by the Government of Canada, and except on that occasion, this provision has remained a dead letter on the statute-book.

Hon. Mr. POWER—The address was not concurred in by the Senate; that was one of the difficulties at that time.

Hon. Mr. LOUGHEED—I have not looked into that. My hon. friend will of course recall what the circumstances were.

Hon. Mr. POWER—Yes, I was here; the Senate did not concur.

Hon. Mr. LOUGHEED—We propose also making further provision, as will be found in the last section of the Act, which reads as follows:

Notwithstanding anything in this Act a province shall always be entitled to a number of members in the House of Commons not less than the number of senators representing such provinces.

Hon. Mr. CLORAN—That is for the Island?

Hon. Mr. LOUGHEED—This will of course apply peculiarly to Prince Edward Island. We have a peculiar anomaly, if I may so term it, of the province of Prince Edward Island being represented, or from now on it will be represented, by a larger representation in this Chamber than it will have in the House of Commons. Owing to the increase in the unit of the population of Quebec, and the non-increase of population in some of the Maritime provinces, notably in the province of Prince Edward Island, that province is unfortunately gradually losing its representation. When that province entered into Confederation, unfortunately proper attention does not seem to have been given to due provision being made for the fixity of its representation, in case its population should not have grown relatively with the growth of the unit in Quebec. It is therefore proposed that at no time shall the representation in the House of Commons of a province be less than the representation in this Chamber. If this legislation should come into force it will ensure to the province of Prince Edward Island a representation in the House of Commons of at least four.

Hon. Mr. DAVID—Or any other province?

Hon. Mr. LOUGHEED—Or of any other province. That is to say, a representation of any other province in the House of Commons will never fall below its representation in this Chamber. With those explanations I would therefore beg to move seconded by the Hon. Mr. Ross (Middleton):

That a humble address be presented to His Royal Highness the Governor General praying that he may be pleased to cause the said address to be placed before His Gracious Majesty the King.

The next motion is:

I beg to move, seconded by Hon. Mr. Ross (Middleton), that a message be sent to the Commons by one of the Masters in Chancery to acquaint that House that the Senate has passed such an address, and praying that they join with the Senate in said address.

Hon. Mr. POWER—Should not the first motion be that we concur in this address?

Hon. Mr. LOUGHEED—These seem to be the forms which are prescribed for such an address.

Hon. Mr. POWER—We must concur in the address first before we take any motion.

Hon. Mr. LOUGHEED—Then I would move the further motion:

That the Senate doth concur in the message of the House of Commons in reference to this particular address.

Hon. Mr. CLORAN—Before that motion is put I would simply like to ask the leader of the Government this question. An explanation was given in regard to Prince Edward Island and its representation in the Senate and in the House of Commons. I have no objection, and am only too glad it is proposed, but the question is this—does the provision in the Bill regarding the representation of Prince Edward Island or

any other province as to senatorship or House of Commons membership, require imperial sanction? It is a matter of domestic concern. The federal Parliament here has full and supreme control over those matters. The federal Parliament already has reduced the representation in Prince Edward Island from six to three, in Nova Scotia from twenty-one to eighteen, and in New Brunswick from sixteen to fourteen. They have done that without appealing to the Imperial Parliament. Now, just imagine some member on the floor of the House of Commons in England asking, 'What have we to do with that? Why do not they attend to their own business? They have done it in the past, yet they are asking us for power to do what they have been doing since Confederation.' I am simply putting the question as a legal matter, and I would not be surprised if Joe Martin, M.P., on the floor of the British House, would put a spoke in the wheels, for he knows the constitution of this country, and knows that it is not necessary to appeal to the Imperial Parliament to regullate these matters of domestic concern. The question is a parliamentary and legal question, and you may find obstacles in your way in regard to this Bill on the other side. I have no objection to the measure. I think it is fair, and what surprises me most is the very moderate demand of the representatives of the West. I am surprised they did not seek for the welfare of the future as well as the present. These Prairie provinces, Manitoba, Alberta, Saskatchewan, British Columbia, may in future have three times the population of Ontario, Quebec or the Maritime provinces, and still they will only have 24 senators. As a fair and honest-minded man, I say the representatives of the West should have asked the Government to have provision in this Bill for further representation. I am not opposed to the Bill, but am surprised at their moderation, because I feel that in five, ten or fifteen years the provinces of the West will contain a larger population than the provinces of the East; still, the West is satisfied to-day to accept the same proportion as given to the older provinces of the Dominion. I put the question as delicately as I can to the leader of the Government here, in regard to the way the imperial authorities should be called upon to regulate a domestic concern; and, afterwards, to express my surprise and admiration at the conduct of those western members in not asking more.

Hon. Mr. DANDURAND—Could the hon. gentleman tell me on what amendment to the British North America Act it is claimed that Manitoba and British Columbia are entitled to an increased representation?

Hon. Mr. LOUGHEED—I said that under the legislation which we passed extending the boundaries of Manitoba in 1912, provision was made for an increased representation of members in this Chamber.

Hon. Mr. DANDURAND—Is it solely upon this that the hon. gentleman thinks Manitoba is entitled to increased representation?

Hon. Mr. LOUGHEED—No, the question arises as to whether this Parliament had authority, when we made provision in 1912 for that increased representation, to make that provision.

Hon. Mr. BOSTOCK—The question arose as to whether there was sufficient authority given under the Act of Union of Manitoba and Canada to increase the representation in the Senate to that province.

Hon. Mr. DANDURAND—What procedure will be followed on this resolution? Shall we consider it clause by clause in committee? I know that my hon. friend the leader of the Opposition has an amendment to offer which might not meet with a kindly reception from a majority of this Chamber. It affects the last clause, concerning the alteration in the terms of the British North America Act governing the census and affecting, more especially, Prince Edward Island.

Hon. Mr. LOUGHEED—It is entirely within the power of the House to consider the resolution clause by clause in the committee. We should first consider the motion, namely, that we concur in the message from the Commons.

Hon. Mr. DANDURAND—But suppose we are not satisfied with some parts of the address, should be concur in it before considering it in committee?

Hon. Mr. LOUGHEED—I am quite satisfied that the House should resolve itself into a Committee of the Whole, and I move that we go into committee accordingly.

The resolution was agreed to.

In the committee.

Hon. Mr. BOSTOCK—I am surprised that the Government should bring

down a measure of such importance six hours or more after we have been told by the Speaker that the Governor General will prorogue Parliament to-morrow. It is unfortunate that a matter of such importance should be left to the dying hours of the session, when we have not time to give it proper consideration. The address raises the whole question of the right of Parliament to amend the constitution in this way, especially with regard to the question of the representation of Prince Edward Island. I have a grave doubt whether we have a right to ask the British Parliament to make such a change in the agreement which brought about Confederation. The terms of that pact were definitely set forth in the British North America Act, and now it is proposed to alter the terms of union without reference to the people. I understand that this question was discussed at a meeting of the provincial Premiers some time ago and that no decision was arrived at by those gentlemen as to any action that might be taken. Nevertheless the Government consider that they are justified in asking the British Parliament to deal with this important question in the manner proposed. I doubt very much whether the Imperial Parliament will consider themselves justified in breaking the compact which forms the basis of Confederation, on a mere address from the members of the two Houses of the Canadian Parliament. It is also open to a great deal of discussion whether it is advisable to increase the number of senators, whether a smaller number would not produce better results than the increases as proposed under this address. The smaller body of men would be more representative, and would be probably selected with more care and judgment, and would in that way bring about better results in legislation, than the larger body can probably do. We have, at various times, since I have had the honour of having a seat in this Chamber, discussed this question of Senate representation and various ideas and proposals have been made by hon. gentlemen who have had time to give more study to this question than I have been able to do myself. In considering this address we should have had an opportunity of discussing the whole situation, the whole condition of this Senate and the organization of the Senate and possibly we might have arrived at a solution in dealing with this whole question, and perhaps have found some means of suggesting an improvement in the appointment of members to the Senate. I say again that I think this too big a question to be brought down for our consideration at so late an hour of the session, and when a large number of members of this Chamber have thought that the legislation that was going to be brought down was practically finished, and have gone away thinking there was practically very little more work to do. For these reasons I think we could hardly be expected to proceed with this address at the present time, and I do not know that any harm would be done by suggesting that this matter be held over and brought up at the beginning of next session of Parliament.

Hon. Mr. MURPHY—I listened with some attention to the remarks of the hon. leader of the Opposition and I may say I am in harmony with those remarks, in so far as not agreeing with the resolution in toto. But my reasons for disagreeing with it are somewhat different from those of the hon. gentleman who has just addressed the House. In my remarks on the address at the beginning of the session, I thought I made plain the position as I saw it then, and as I see it now, and as every man who comes from my province sees it. The position in Prince Edward Island, which was the first clause to be attacked, and which is the last clause in the resolution, is designed to do at least a measure of justice to that province. When I saw in the Morning Citizen the result of the work in the Commons last evening, I may frankly tell you that I was disappointed, but I knew the legislation in its final form was the result of the committee on both sides of the House, which had been endeavouring to make the best of a bad case, ever since the beginning of the matter. The representation of the provinces had to be readjusted, the matter was consequently referred to a committee comprising the ablest men on both sides of the House. We in Prince Edward Island feel that by an error in the writing of the Confederation contract, justice has been withheld from us ever since the readjustment clause came into effect in 1891, and our representation, which we then regarded as an irreducable minimum, was taken down from the six members that we had for over eight or nine years after the first confer-

ence, and was actually conceded, according to all the data that we can get of the conference at which we agreed to join the union. Strong representations have been made time after time for the last few years to the Government of Canada, both Liberal and Conservative, to put us in a position where we would not at least lose our provincial autonomy. When a province, as every province of this Confederation has done, or did when it joined the pact, surrenders its position of self-government, it surrenders a great deal, and the smaller the population of a province that surrenders that autonomy into the hands of the majority, the more it concedes. This is something that was not overlooked at the time of Confederation—with all deference to my hon. friend who leads the Opposition, I might for the information of himself and the House read to him how this was regarded in the province which cradled this great Confederation, which we all so much wanted to see. In 1864 as you will remember the first conference was held in Charlottetown. In the following October a meeting was held at Quebec, and at that time, when the relations of the provinces were apparent, so far as Confederation was concerned, here was what the leading men of that conference thought. In the words of the Hon. George Brown in 1864, at the first conference—and it will not be unknown to our friends opposite that he sacrificed or is supposed to have sacrificed something to bring about the consummation of what the larger minds then desired—this is how he regarded the condition of affairs as affected by these resolutions, showing conclusively that in the optimism of men at that time there was no thought of readjustment downwards; the whole thought, when the word readjustment was used, was that it would naturally be a readjustment upwards in the natural development of the country. Here is an excerpt from what Mr. Brown said in moving the resolutions with regard to this matter at that time:

> The practical result will be that while Lower Canada certainly will not be less, and the lower provinces may increase in population, they cannot decrease in the number of their representatives.

That this was the intention of the framers of the Confederation pact. Hon. A. T. Galt, a man on the other side of politics, at the same time used in a speech at Sherbrooke on November 23, 1864, the following words:

> The House would never have less than 194 members.

Now it is practically manifest to hon. gentlemen opposite and to every hon. gentleman in this House—because this is not at all a party question, but one upon which everybody in my province is agreed, and nearly every premier to whom this question was submitted at the interprovincial conference agreed—that Prince Edward Island was an exception to the rule of the general provinces. Although the provinces of Nova Scotia and New Brunswick, the provinces of Quebec and Ontario, were the ones forming the original unit, Prince Edward Island was an exception in so far as Prince Edward Island was dealing with those four provinces as an integral part, and after staying six years out of the union, and refusing to accept the terms on the representation question, it felt and believed that it was getting the same concessions and the same terms as the province of British Columbia received the year before, when it got for representation a fixed minimum in the House of Commons of six members, though as a matter of fact it had only ten thousand of a white population, and a total population of forty thousand. As an elucidation of what was in the minds of the representatives at that time on this question I beg once more to read from the debates of the House of Assembly of Prince Edward Island, in the year succeeding the first conference held at Charlottetown, and subsequent to the time it was held in Quebec, records which I put on The Debates at the beginning of this session. These are extracts from the speeches of the leading men of the both sides of politics at that time.

Hon. Mr. CLORAN—What year was that?

Hon. Mr. MURPHY—1864. Prince Edward Island refused to enter the union unless six representatives were conceded. The following extracts from speeches of our own delegates at the Quebec conference show definitely the reasons for standing out. There were no politics at that time; there were no men trying to take advantage of one another, as far as entering the union was concerned, because the union was an outside thing, and they were standing for domestic rights and the best arrangement of domestic concerns. Mr. Haviland, one of the Fathers of Confederation, as we see in the Railway Committee room of this House, said:

Prince Edward Island would rather be out of Confederation than consent to this motion; we would have no status, only five members.

We were entitled under the Confederation pact to five members.

Only five members out of 194 would give the Island no position.

Then, in the name of Heaven, I ask you gentlemen on both sides of the House, after forty years of Confederation what would three members give us as compared with 234.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. MURPHY—Mr. Palmer said:

Representation by population is not applicable when a certain number of provinces are throwing up their self-government and individuality. When a colony surrenders that right she would have something commensurate in the Confederation. Why give up so great certainties where we have only a feeble voice?

The great certainties of the right to make our own laws, to stand out of the Confederation and not suffer—if you want me to say so on the floor of this House—that we did suffer under Confederation, for we were more penalized than any other province under Confederation. In this connection I want to draw your attention to the fact that even under the present system of representation by population the representation of the rural constituencies is based on a smaller unit than the representation of urban constituencies. While the general unit of representation for Canada is about 32,000, the unit for rural constituencies is not more than 18,000 or 20,000. I want to draw your attention to the fact that the population of Prince Edward Island is practically rural. Our biggest city—it would be called a town in any other province—has only 12,000 people. The next largest, the county town of the county from which I come is only 3,000 and the next one to that has a population of only 1,000. So practically for the purpose of representation, our population is rural as compared with the population of Ontario and Quebec, and even Nova Scotia and New Brunswick in a lesser degree, and as compared to what we expect the West to be in years to come when large cities like Winnipeg, Vancouver, Calgary and Edmonton will grow up like mushrooms. Taking the 93,000 in Prince Edward Island as rural population, on a unit of 18,000 we should have five members. Colonel Grey speaking of this question at the Quebec conference said:

Colonel Grey:

I am instructed by my co-delegate to say that the provision of five members is unsatisfactory.

They did not want to join the union for the reason that commensurate representation would not be given them, and their voice in the Confederation would be too feeble. In a subsequent session of the Prince Edward Island legislature, in the winter of 1865, we find the following statement made by—

Hon. Mr. POWER—I really do not see what relevance this has to the address which we are trying to concurr in.

Hon. Mr. MURPHY—I am very sorry if the hon. gentleman cannot see the relevance of it. In my opinion it is very pointed. The hon. leader of the Opposition in this House attacked the last clause, the effect of which is to redress the wrong that has been done to Prince Edward Island. I was going to move myself a motion to the effect that that clause should be amended to increase the number of our representatives to the original representation fixed at Confederation. We were deprived of our proper representation by a clerical error in writing the terms, and this is the best compromise that could be made by both sides of politics to redress that grievance, and give the half measure of justice. I felt like moving to restore the original representation, but recognizing the desire of the Government to do justice to Prince Edward Island, I intended to let the motion pass without any attempt to amend it. I do not think any wise purpose could be served, even if I were ruled out of order, by taking exception to my trying to place before the fair-minded men of this Chamber the claims of the province that I represent. I want to show that the resolution in this address is only doing partial justice, long delayed—that it is only a part of what we expected we would receive when we entered Confederation. Now here are the words of the Premier of Prince Edward Island, the Hon. J. C. Pope, who was afterwards Minister of Marine and Fisheries in the Government of Sir John Macdonald:—

If the relative circumstances of Canada and this island rendered a Union practicable, the evident injustice of the terms agreed to by the Quebec conference would prevent their being ratified by the legislature of this island. Without admitting the principle of representation according to population under all circumstances to be sound, it is, in the opinion of this House, particularly objectionable as applied to this island in connection with Canada, taking into

consideration that the number of our inhabitants is and must continue comparatively small, owing to the fact that we have no Crown lands, mines, minerals, or other resources sufficient to induce immigrants to settle here, and that we never can expect to become to any extent a manufacturing people in consequence of our navigation being closed for nearly half the year, and all trade and communication with other countries stopped.

In the same debate Mr. Pope said:—

Among these objections I may mention the principle of representation by population. A very simple calculation will show that the adoption of this as a standard would entitle the city of London to send to the British House of Commons no less than seventy representatives, and the city of Montreal in the Confederate Parliament would have a representation greater than that of this island. Its statistics warrant the belief that in a few years the population will be so increased by the influx of the tide of immigration that the island would lose in the halls of legislation even the small voice which she might raise at her entrance into the Union.

That is precisely what occurred, and I wish to express my respect for the prescience of those gentlemen. At the outset we have six representatives in a House of 184 members; we would now have only three in a House of 234 members, if this measure of redress were not granted. This matter of representation is a sore spot in Prince Edward Island. We are penalized on the one hand by the non-fulfilment of the terms of union in the matter of winter communication with the mainland, as the result of which we have lost population and been unable to develop; while on the other hand because we have lost that population an attempt is made to penalize us by decreasing our representation. The clause in the resolution is a wise one, and I cannot understand the opposition of the hon. member from British Columbia (Hon. Mr. Bostock). That province was granted an irreducible minimum of representation when it entered Confederation. With a smaller population than we have in Prince Edward Island, they were granted six representatives, yet the hon. gentleman raises an objection to Prince Edward Island retaining this present reduced representation. At the subsequent census the province from which my hon. friend comes had only a population of 60,000 and they retained their six. We retained our six, being still only entitled to five, showing that while the framers of the Confederation Act were in control they felt that it was only doing justice to us by allowing us six members. I ask any man of commonsense, why should we have been given six when we were only entitled to five at Confederation, if it was not understood in the terms of Confederation that we should have six. When there was re-arrangement after the census of 1881, when Sir John A. Macdonald was in control of the affairs of the country, he knew the arrangement and understanding at Confederation. Why should he still have left us with six members when we were only entitled to five? For the simple reason—no question about it—that he knew there was an error in the writing of the Federation pact. I would ask my hon. friend not to take exception to subsection 5 of clause 51, for the reason that it is designed to help the weaker province of the union and is designed to do justice to us, and to redress the grievance under which we have suffered for years; if you have other reasons for voting against this resolution, do not attack that provision. For my part, I think with my hon. friend from Victoria division (Hon. Mr. Cloran) that perhaps the West has been modest in its demands for representation, but we must remember that senatorial representation is supposed to guard the interests of the weak. In the United States we find that 'Little Rhodie' as the state is familiarly called, has a representation of two in the Senate, while in the House of Congress its representation is only one. The representation in the Senate in the first instance was designed to protect minorities and to segregate the people according to their interest. For instance the Maritime provinces were given a representation of twenty-four. You would imagine, to read that resolution that the Maritime provinces were simply Nova Scotia and New Brunswick. When we entered the union, Quebec was given twenty-four and Ontario twenty-four. Now it is designed to give the West, whose interests are altogether identical, as compared with the interests of the Maritime provinces, twenty-four, which representation was fixed on a basic line, and we have the first sample of this in the Act of the union of the states to the south of us, which was designed to protect the minority in those states.

Hon. Mr. DAVID—I am surprised to hear the hon. member from Prince Edward Island complaining of the present Bill, because I think that if there is a province that might with reason complain of the present Bill, and of the changed con-

dition which is made by this Bill in the political condition, I think it is Quebec. There would be much to say on this question, but in the last hours of the session I will speak briefly. This Bill has two special features: first, the increase in the members of the Senate; secondly, the increase of the representatives in the House of Commons, and in this House, of Prince Edward Island, and perhaps later on affecting other provinces. I cannot help remembering what took place at the time of the establishment of Confederation. In order to induce the province of Quebec to accept the principle of representation based upon population, which the old province of Quebec had fought for since the union of both provinces, it was felt and it was enacted in the Federal Act that as a compensation there would be equality of representation in the Senate between the three great provinces, which at the time formed part of, and entered into Confederation. This was one of the principal conditions brought before the people at the time by the members of the Government and by the newspapers which supported the Administration. Naturally the province of Quebec did not like the clause which enacted that that province would not have more than sixty-five members, and there was first a great opposition to that clause. While we were bound to remain always at that fixed number of sixty-five, the other provinces, if their population increases have the right to increase their representation in proportion to their population. The provision was regarded as unjust at the time, to put Quebec in that position; but as an hon. gentleman has just said, the minorities in the other provinces and the province of Quebec looked to find protection in the constitution of the Senate, because Ontario had twenty-four, Quebec twenty-four, and the Maritime provinces twenty-four members. It is said we would be represented by one-third of the members of the Senate, and that the third of the members of the Senate would find in the other House a support, if it were necessary to protect their interest. Mr. George Brown said at the time, at a banquet given in Toronto to the delegates who had been appointed to prepare the scheme for the British provinces:

> The Senate was to be composed of 76 members, and Prince Edward Island four and Newfoundland one—

with so much smaller representation in the upper House. Later on he said:

> It is easy to remove objections on this score, having obtained for Upper Canada—

Please listen to this part of his speech, hon. gentlemen—

> He said having obtained for Upper Canada that just preponderance in the Lower Chamber for which we have so long contended, we ought to allow the gentlemen from Lower Canada, so long as no flagrant injustice were done, to frame the constitution of the other Chamber very much as they choose. A hundred and ninety-four members of Commons having expressed the opinion that the province of Quebec would never have more than sixty-five members. He added that the representation of the House would be readjusted every ten years.

Well, I think we will be obliged to admit that the protection, which the constitution of the Senate was to give the province of Quebec, and to the minorities in the Confederation, has been really reduced, and that if there is a province that ought to complain, which has a right to complain of this Bill, it is the province of Quebec, more than the province of Prince Edward Island. Now, another word. A feature of the Bill is to increase the representation of Prince Edward Island and perhaps also other provinces, to give them the right to have more representatives in the House of Commons than they are entitled to under the federal Act. Well, I remember what was said at the time the Confederation was established. I have just said that one of the consolations, if I may use that word, which was offered to the province of Quebec, was that in the Senate that province would be represented by twenty-four, by as many members as the province of Ontario and the Maritime provinces, but there was another consolation; it was said at the time by Sir George Etienne Cartier, and published in all the newspapers at the time, and said in the House, and in the convention which took place then, that the time would come when the other provinces would be obliged to diminish the number of representatives of the other provinces in the House of Commons, because their population would not increase in proportion to the increase of the population of the province of Quebec. That was repeated everywhere, on all the hustings. That was the principal argument which at the time was enunciated in order to give satisfaction to the province of Quebec. Well, as long as the constitution worked, as the clause that I have cited from the federal Act worked in the way of increasing the representation of the province of Ontario, and the other English provinces, there was no complaint. The work-

ing of the constitution was perfect and admirable, and as hon. gentlemen know, the increase of representation of the English provinces, except Prince Edward Island, New Brunswick and Nova Scotia, was great. But when, because of the increased population in the province of Quebec the scales were turned and the representation in another province was reduced, then it was necessary to amend the constitution—that sacred constitution was no more sacred; it was an act of justice to change it. I appreciate the patriotic feelings of the representatives of the province of Prince Edward Island, and the other provinces; I appreciate their motives which are no doubt good; they must be anxious about the effect of the federal Act in connection with their representation; but I say that the change or modification of the constitution is a violation of what was considered as the basis of Confederation, a violation of the promises which were made at the time by the provinces, and made without the consent of the provinces.

Hon. Mr. DANDURAND—Hear, hear.

Hon. Mr. DAVID—All the provinces should be consulted before such a modification is made in the federal Act, because Confederation would not have been accepted if those conditions had not been inserted in the federal Act.

Hon. Mr. KERR—Hear, hear.

Hon. Mr. DAVID—I said this proposal was a violation of all the promises made by the fathers of Confederation, and a striking proof of the poor foundation of their prediction. I admit that the change seems to be small to the representatives of the province of Prince Edward Island and the other provinces, but it is no less a first encroachment on the constitution. The door is open, and I fear it will be very difficult to close it, if the constitution is changed now, as it is intended to do by this Bill. Why should not the other provinces also later on ask some modification of the federal Act? And where will be the end? What will be the result? The Bill must go to England, and it will come back in what condition? I am a little afraid, for I remember what took place in connection with our representation based upon population. When the two provinces were united, one of the essential conditions of that union was equality of representation of both provinces in Parliament. At that time the population of Lower Canada was considerably greater than that of Upper Canada, so that naturally the province of Ontario had no objection to the principle of representation by population being inserted in the Dominion Act, but a change took place—

Hon. Mr. MURPHY—The hon. gentleman will pardon me, but the province of Prince Edward Island always objected to representation by population.

Hon. Mr. DAVID—The province of Ontario wanted to have equality of representation, but when the population of Ontario increased in a greater proportion than that of Quebec, then they wanted to make a change in the constitution. And what took place? In connection with the modification of the constitution of the Legislative Council in 1854, when the Government applied to the British Parliament to change the constitution there, there was inserted secretly, we do not know by whom, a statement in that Bill that the Parliament of Canada would have the right to change the constitution, and to accept the principle of representation by population. I hope that the members of the Government will be on their guard to see that the Bill does not come back with some modification that would be detrimental to the whole interest of the country, and especially to certain provinces.

Hon. Mr. MURPHY—I do not wish to be misunderstood in this matter. The hon. gentleman from Mille Iles says I object to the Bill. I stated that my objections were somewhat limited, and from a different reason to that given by the leader of the Opposition. I objected that the resolution did not go far enough; but it was a judicial compromise and for that reason I was disposed to accept it. If the leader of the Opposition had not objected to the clause I would not have said anything. The resolution having passed the other House unanimously, and being the result of months of work done by the committee to which the matter was referred, we cannot expect to improve it very much in the two or three hours we will have it before us in the Senate.

Hon. Mr. PROWSE—There was no member from our province on that committee.

Hon. Mr. MURPHY—No, but they did the best they could for the little sister of the Confederation. They tried to be not only just, but as far as possible generous to Prince Edward Island. The hon. gentleman from Mille Iles says that no com-

plaint was made as to representation until the change affected an English province. I can tell him that there has never been a time since 1882, when the first reduction was made in our representation, that we have not complained. Quebec has no cause of complaint. Quebec has been well looked after with the addition of an immense territory for which we paid our share as a province. That great increase of territory was made to the province which furnishes the unit under the present system. That increase of territory affects relatively the representation of other provinces.

Hon. Mr. LANDRY (Speaker)—Does the hon. gentleman contend that the population of Ungava is to be counted as fixing the unit.

Hon. Mr. MURPHY—I do not say that, but I want to tell him that the population which accrues to Quebec as the result of the addition of that territory puts Quebec in a position relatively unfair to us, under the terms of the Confederation Act, in so far as Quebec gets representation for the extra inhabitants that come to it by the addition of that territory.

Hon. Mr. LANDRY—The province of Quebec has a fixed representation of sixty-five members. Those sixty-five divided into the population of the province of Quebec at the time of Confederation decide the unit.

Hon. Mr. MURPHY—Yes.

Hon. Mr. LANDRY—The outside population does not count.

Hon. Mr. MURPHY—The population that Quebec received as a result of that increase of territory counts in the relative representation of the other provinces. I want to place before the Senate once more, the intention of my province when it entered the union. In 1873, at the time Prince Edward Island entered Confederation, the Secretary of the Colonies advised the then Government of the day that they should be not only just but generous to Prince Edward Island in order to round off the Confederation. Now here are some of the telegrams that passed between our representatives at the conference, and our Government at the time, showing that it was in the minds of the parties to the contract that we should have a minimum representation of six, and they conveyed the idea that we were receiving that irreducible minimum. The following telegrams passed between R. P. Haythorne, Premier at the time, and the Lieutenant Governor of the province:

Telegram from Robert P. Haythorne to Lieutenant Governor Robinson, February 26, 1873:

Held two conferences. Increase of annual allowance. Probable yield six representatives.

Telegram from Robert P. Haythorne to Lieutenant Governor Robinson, March 6th, 1873:

Highly probable get six representatives; try and send reply council as soon as possible.

Telegram from Lieutenant Governor Robinson to Robert P. Haythorne:

Council will concur in advising dissolution. We hope six representatives will be conceded.

Telegram to the Hon. Edward Palmer from Robert P. Haythorne, March 6, 1873:

Except modifications stated and interest difference old debt, better terms allowed. Six members conceded.

In the face of that, how can hon. gentlemen expect anything else but dissatisfaction at the way we are penalized by a clerical error in the written federation contract. The word 'readjusted' is placed in that contract instead of the word 'increased.' In all the other component parts our federation contract is a fac-simile of the Federation Act of British Columbia written the year before. The word readjusted was never supposed to mean a cutting down of representation, but in the optimism of those gentlemen who were piloting the contract through, they never thought of any readjustment in this way. In the light of these facts I do not see how anybody can say the representatives of Prince Edward Island were unreasonable in standing up and saying that, as a result of a compromise, they are not receiving justice.

Hon. Mr. KERR—Is this Bill not going to redress those grievances?

Hon. Mr. MURPHY—That was just what I said.

Hon. Mr. KERR—Does the hon. gentleman agree that this Bill does not redress those grievances?

Hon. Mr. MURPHY—Not to the full extent. It does not do justice according to what was understood in those telegrams that I have read. I feel that the hon. gentleman's question is facetious, althongh I have no right to say that, because he has intelligence enough, and has been long enough a member of the House to have heard these things gone over more than

once, and I would be insulting his intelligence to say he did not understand me.

Hon. Mr. CLORAN—If the hon. gentleman from Tignish will allow me I will extend to him my most hearty congratulations on his manly and able defence of the rights of the province of Prince Edward Island. He has put them before the Senate, which does not amount to much, but he has put them through the Senate, and so before the people of the country; and he has put them through the Senate—which is sometimes dormant, sometimes absent, and sometimes on strike, and has got his views before the people of Canada, and I am glad to know, before the people of his own province. His defence is a manly defence—manly, because it is opposed to the policy of the Government; he is a member of the Conservative party, a supporter of the Government, still his objection is more or less in contradiction, in supplementing what is not in the Bill. He has had the courage to do that, and that is manly. He has done it not only once; he has done it before. The hon. senator also has made an able defence, and to my mind an unimpeachable defence of that little island that came into Confederation under one condition. And what was the condition; the condition was that the island shall have four senators in the upper Chamber, and jointly with that that the island would have six members in the House of Commons. That is to my mind as clear as any public document could make it clear. You have got the official messages between the Governor of the Island and the Prime Minister of the Island in regard to that matter, that no matter whether there were one hundred thousand or ten thousand, the island was to be entitled to representation in this upper House to four members and in the lower House to six members. That was a provision in the contract and part of the pact under which the island entered Confederation. What right have we to disturb it? What right had the Parliaments of the past to disturb that; whether the island had a population of 100,000 or 50,000 or 10,000? The agreement and condition under which they came into Confederation was that they were to have four senators and six members of Parliament. What has happened? The Government of the past has reduced the House of Commons membership from six to five, from five to four, and four to three. I say that if this matter was appealed to the Privy Council, with the documents the hon. gentleman has read here, and the documents that can be produced, they would declare that legislation to be ultra vires, and in violation of a solemn contract—a solemn pact between one province and the federal Parliament.

Hon. Mr. MURPHY—I may say the matter was appealed to the Privy Council and their decision was against us, from the fact that they joined our case with the whole of the Maritime province case, and therefore weakened our case. The hon. gentleman may have heard the member who moved the address in the House of Commons this year, Col, McLeod, of York, saying that the case of Prince Edward Island was exceptional and that we should have our representation restored.

Hon. Mr. CLORAN—The remarks of the hon. gentleman from Tignish are absolutely apt to the situation. He has done his duty in calling the attention of the House, the country and the Government to the fact that the solemn pact entered into between the island and the Canadian federation has been violated by the same Government and Parliament of Canada. I say that is not right, and when I say the matter should be appealed to the Privy Council, they informed me it was, and it was lost because it was taken jointly with the other provinces. I have no doubt about that, but I feel from a legal point of view that if the province went to the Privy Council and put before the Privy Council the statements the hon. gentleman has made, backed by official documents of this country, that there is no lawyer in England that would not say to the provinces, 'You have rights and they have been violated by your federal Government and we will restore them.' Under these circumstances I say that all that the hon. gentleman from Tignish has said has full weight with me in regard to the matter. I believe in representation by population according to numbers, but I believe also that the terms of a contract should be sacred and not violated by a superior party to the contract—that is what has taken place in the present case. The terms of the contract are violated by the federal power against the poor little island and it is not to the credit of any Government, Liberal or Conservative, to put their heel on a contract of that kind. They would never have come into Confederation except on the understanding that they were to have four senators and six members. What has happened during the last twenty years? The population has gone down. Both parties

have seen fit to reduce the House of Commons representation. Why did they not take the same action in regard to the senatorial representation? Who will answer that question? If the Government of Canada and the Parliament of Canada had the right during the past twenty years to reduce the popular representation in the House of Commons, they had an equal right to reduce the senatorial representation in this House. Does not the position strike the hon. gentleman as strange? Does it not strike the hon. members as unfair? They take away from the people their popular representatives but the Government of the day leave the senatorial representation unchallenged. That is not fair to a free people. They take away their popular representatives, and leave in Parliament representatives who do not represent them. Such representatives are appointed by the Government in power. To my mind the situation is one that demands the most serious consideration of this Parliament, which consideration it will not get; but when it is brought to the attention of the Imperial Parliament, where men attend to business and weigh their words and their votes, I have no doubt that if Senator Murphy would appear before the committee of the Imperial Parliament which will deal with this matter he would be heard and would win his cause. That is the difference between the Canadian Parliament and the Imperial Parliament—I have not the slightest hesitation in saying that if the matter were properly laid before a committee of the Imperial Parliament, the island would have its original representation restored. I have every admiration for the hon. member from Tignish for demanding that the Parliament of Canada respect the contract made between his province and the Dominion. He has put his case in such a way as to convince me, against my principle that representation should be based upon population, because he has shown that the contract called for a minimum representation, and that contract must be respected, especially when it has been construed against the little province. Prince Edward Island would never have entered the union if it had not been granted the two conditions, senatorial representation to the number of four, and representation in the House of Commons to the number of six. Evidence of that fact is there in the official document. The Dominion has no moral right to set aside that agreement; the contract is there and should be respected. I am satisfied that if Prince Edward Island will lay its case before the Imperial Parliament measures will be taken to safeguard its rights.

Hon. Mr. PROWSE—This measure has been brought in during the closing hours of the session, and we did not have it before us until about half-past eight tonight. The Bill was published in the Ottawa Citizen to-day—I do not know where they got it—but I did not get a copy of it. I feel that this matter as to Prince Edward Island should have been brought in separately. Prince Edward Island went into Confederation six years later than the other provinces, and as usual it had to give way, being a small province, to the bigger provinces of the West. The first part of the Bill provides for larger representation for the West and smaller for the East. I do not consider that fair. It has always been the same, though we give our best blood and population to the West. There is not a man on either this side or the other who is not convinced that Prince Edward Island came into Confederation with two solemn compacts. One was that we were to have continuous communication with the mainland, the same as they have it on the mainland, and the other was that we should have six House of Commons representatives. We held out for six years, before we got that contract signed. Arguments have been produced from time to time, both in this and the other House, and I could occupy an hour or two in citing documents and evidence and speeches by different members in the other House, but that is unnecessary, as you have all read them before, and if not, you have not studied the necessary books. The Premier of Prince Edward Island and some of his colleagues, who happened to be on the opposite side of politics from myself, have studied out this matter and brought out arguments in documents which were placed on the tables of members of the lower House, and also furnished to the committee. The committee has worked hard, but Prince Edward Island was not represented on that committee of thirteen members which I consider was unjust to that province. I regret that it will be necessary for me to oppose this Bill, because it embodies a larger representation to the West, though I will not say it is larger than the West is entitled to, but it is giving the West representation before we have an election, before it is represented in the

Commons, and the Bill takes away representation from Prince Edward Island to which it is justly entitled. I defy contradiction on that point. I do not think a single hon. gentleman will rise here and defend the action in any way, or state that it is his thought or conviction that Prince Edward Island did not go into Confederation with the distinct understanding that it would have six members, and that six would be the minimum, not to be decreased in any way, for all time to come.

Hon. Mr. DANDURAND—I must express my dissent at such important legislation being brought down at the last hour of the session. We knew by an announcement from the Prime Minister in the other House, more than a month ago, that he intended to bring down such a resolution and, of course, we knew his intention of suing for an amendment to the British North America Act in order to form a group of 24 Senators for the West. But we did not know that, coupled with that demand, would be a resolution and demand for an amendment to the British North America Act which may have very important and wide reaching effects.

Hon. Mr. LOUGHEED—May I interrupt my hon. friend? My information is that this is based upon a report of the Redistribution committee; I think I am correct in saying this. For that reason this measure has been withheld until the report of the Redistribution committee was brought down.

Hon. Mr. KERR—Could we see that?

Hon. Mr. LOUGHEED—I have not got it before me.

Hon. Mr. KERR—We have not got it before us, certainly.

Hon. Mr. LOUGHEED—That is the case.

Hon. Mr. KERR—This is the first we have heard of it, and it is not before us.

Hon. Mr. LOUGHEED—You have heard of it now.

Hon. Mr. DANDURAND—I take my hon. friend's word when he explains that this last clause has been added to the resolution, because it emanated from the Redistribution committee only a few days ago.

Hon. Mr. TAYLOR—Last night.

Hon. Mr. DANDURAND—But nevertheless, although it may be a happy solution of the complaint of Prince Edward Island, it seems to me that some action should have preceded the introduction of this resolution. The hon. gentleman from Mille Iles has well said that the four old provinces came together and made a compact, and that compact was respected and carried through by the adoption of this British North America Act. It has been the general opinion of all statesmen who have gone before us, and of those of Confederation days who are still living, that no amendment of this constitution could be made without the sanction of the four provinces that came together and agreed upon the terms of this contract. The representatives of the provinces met last October and discussed this grievance of Prince Edward Island. I do not know under what form, what remedy was suggested to the Conference, or why it disagreed. It seems to me that if any remedy had been suggested in the terms of this amendment it would probably have carried; and I wonder if this amendment, which is sought, should not be adjourned until next session in order that the provinces be consulted.

Hon. Mr. MURPHY—Is the hon. gentleman voicing the feeling of the Province of Quebec as enunciated by Sir Lomer Gouin at the opening of the Quebec legislature?

Hon. Mr. DANDURAND—Did he declare that the Province of Quebec had objected to any change in the constitution?

Hon. Mr. MURPHY—Quite the contrary; he said the claim of Prince Edward Island was entitled to every consideration. Speaking personally and for the Province of Quebec he said he would like to see justice done to Prince Edward Island, and carry out the intent of the original framers of Confederation.

Hon. Mr. DANDURAND—I am happy to hear that, because I was just about to say that I would be favourable to the Legislature of Quebec agreeing to some kind of modification of the British North America Act in order to come to the rescue of the smallest province of the Dominion; but I contend that the four provinces that entered into that contract in 1864 should be officially consulted. If we go over their heads, direct to the Imperial Parliament, for an amendment to the British North America Act on this point, we will have established a precedent which will justify the legislators of the future, going direct from this Parliament to the Imperial Parliament without consulting

those provinces on the most important and vital questions.

Hon. Mr. MURPHY—I shall read from the Quebec Chronicle the statement of Sir Lomer Gouin before the Quebec legislature:

'As to the claim of the Maritime provinces, that the Confederation agreement specifically stated that their representation should be irreducible, and that it was due to a clerical omission that this stipulation was not on record at the present time, the Prime Minister said that it was decided that this allegation, which seemed to be advanced in good faith, was a matter to be settled by the federal authorities and not by the provinces.'

Hon. Mr. DANDURAND—Under what circumstances was this declaration made?

Hon. Mr. MURPHY—He was giving the result of the Interprovincial conference held here last September.

Hon. Mr. DANDURAND—But I understood the representatives of some of the provinces did not approve of amending the British North America Act in the direction indicated.

Hon. Mr. MURPHY—There was no disagreement; in fact the gist of it was otherwise, but they did not want to put themselves on record officially in the matter. They gave it as their unofficial opinion that so far as our province was concerned we had a good case for a redress of our grievance. Not only Sir Lomer Gouin, but representatives of some of the other provinces took that view.

Hon. Mr. DANDURAND—The Fathers of Confederation recognized that there are matters which cannot be touched by this Parliament without a reference to the provinces that entered into that contract. I remember in 1898 the federal administration of that day desired to ask the Imperial Parliament for an amendment to the constitution of the Senate.

Hon. Mr. LOUGHEED—Since I mentioned that this proposal is the outcome of a recommendation from the Redistribution Committee, I have looked up the report and I find it in the votes and proceedings of the House of Commons of yesterday. It reads as follows:

Your Committee also have had under consideration the claim of the Province of Prince Edward Island to have its representation restored to six members as at the date of its entrance into Confederation. The case on behalf of the province was very ably presented by the Hon. J. A. Matheson, the Premier, and the Hon. John McLean, member of the Council. We have been unable to find that the case presented would justify us in recommending an amendment of the British North America Act for that purpose. For this reason, we have concluded that the representation of Prince Edward Island must be reduced to three members in accordance with the provisions of section 51 of the British North America Act.

We are of opinion, however, that it is undesirable and indeed incongruous that any province in Canada should have a smaller representation in the House of Commons than in the Senate; and therefore recommend and report that a humble Address should be presented to His Majesty praying: That the British North America Act, 1867, be amended by the enactment of the following section:—

51 (A) Notwithstanding anything in this Act, a province shall always be entitled to a number of members in the House of Commons not less than the number of senators representing such province.

Now I am informed by the Chairman of the Redistribution Committee, that the committee was unanimous on this, and both leaders in the House of Commons agreed thereto.

Hon. Mr. DANDURAND—Has my hon. friend under his hand the report of the conference of premiers held last October, and can he inform us what was the stand taken by the representatives of the various provinces? This is of considerable importance, because if we look at the discussion which took place when the constitution of this Chamber was considered, we will find it stated in expressed terms by the framers of Confederation that the rights of the provinces would be more specially guarded by the Senate. I take it for granted that what my hon. friend states is fact. It is true that the leaders on both sides in the House of Commons, and the House itself agreed to this conclusion of the committee, but is that sufficient to justify this Chamber relinquishing its right and duty to guard the confederation pact, and the rights of the provinces?

Hon. Mr. LOUGHEED—If my hon. friend puts that to me as a question, I would say that this House should not set up its judgment as to the representation in the other House against the judgment of the House of Commons except under very exceptional circumstances.

Hon. Mr. DANDURAND—If the judgment of the House of Commons is contrary to the agreement entered into at Confederation, the Senate may well pause and ask if it is not incumbent upon it to take issue with the House of Commons on that point. Now in 1898 or 1899 the Prime Minister of

the day suggested a scheme to heal the differences between the two Houses, but at the same time he suggested that the provinces should be consulted as to amending the constitution on the lines he suggested. And the history of those negotiations has not yet been written. It may be shortly or it may be later on. I think I am justified in saying that if nothing came of the suggestion made at the time by the Prime Minister, it is that the Government of the province of Quebec refused its consent to alter the constitution of the Senate of Canada, because of the solemn pact which had been entered into and because of the safeguards it gave to the minority, and to the weaker provinces. My hon. friend makes quite a strong case in favour of Prince Edward Island. We are all agreed in this Chamber that if something could be done in order to restore the representation of Prince Edward Island, we would all welcome that restoration, and I believe that if the provinces were approached within the next few months, and this suggestion was proposed to them, that they would gladly agree to that proposition coming from the House of Commons.

Hon. Sir MACKENZIE BOWELL—How could that be done in a few months? I suppose the Governments in the provinces would have to apply to the respective legislatures?

Hon. Mr. DANDURAND—I would take it for granted that they would have to apply to their legislatures, but I am convinced that before this resolution goes forth and is submitted to the Imperial House the legislatures will have had time to meet in their regular sessions and pass a resolution approving of the change.

Hon. Sir MACKENZIE BOWELL—Do I understand from the hon. gentleman's remarks that the only objection he has is to the last clause of the resolution which provides for an additional number of members to represent Prince Edward Island in the Commons. If those three or four lines were struck out all my hon. friend's arguments would have no effect as to the balance.

Hon. Mr. DANDURAND—No effect as to the balance.

Hon. Sir MACKENZIE BOWELL—The easiest way is to move to strike them out.

Hon. Mr. DANDURAND—I understand the hon. gentleman from De Salaberry is examining into the form the amendment should take. I have some other objections to the resolution, but one of them is I suppose more of an academic nature than otherwise. I recognize that with the party interest at stake the suggestion my hon. friend to the left has made would not be welcome. It would be a reduction of the Senate instead of an increase.

Hon. Sir MACKENZIE BOWELL—That is of all the provinces?

Hon. Mr. DANDURAND—Yes, the reduction of all the provinces proportionately. I felt when we left the figure 81 and went to 87, with likely a further increase for the West, that we should perhaps examine into the opportunity of reducing the number below 80, as far down as 60. Of course, this is not practical politics.

Hon. Sir MACKENZIE BOWELL—It strikes me as very practical.

Hon. Mr. DANDURAND—My hon. friend from Hastings would say 'You should have started that movement and gone in that direction when you were in power.' Yet I felt all along that we should move downwards instead of upwards.

Hon. Mr. MURPHY—Whom are you going to weed out?

Hon. Mr. DANDURAND—We have 24 from Ontario, 24 from Quebec, and 24 from the Maritime provinces. My suggestion would cover a reduction throughout those groups as well as in the West. There is another objection which I make to the form of this resolution which I confess I have not had very much time to study, but which I think is worth mentioning this evening, and over which my hon. friend may ponder from this to the next sitting of the House. A certain number of the amending Acts of the British parliament to the British North America Act are enabling Acts. It seems to me that when we entered into this groove of asking the British Parliament to enable the Canadian parliament to make certain legislation that we were acting in the right direction. The British North America Act of course contains the constitution of the country and could not enable for instance the House of Commons of the Parliament of Canada to determine the conditions of the number of Senators. A certain number was fixed and the Act became the law of Canada. But now that we have our own parliament which makes laws for the country, I am surprised that this Act being an amendment to the British North America Act will make the law for

Canada instead of enabling the Parliament of Canada to pass its own legislation. I think it would be more compatible with our dignity to ask to-day and henceforth the British parliament to make legislation which would widen the powers and jurisdiction of our parliament.

Hon. Mr. LANDRY—The hon. gentleman speaks of enabling Acts. Are those enabling Acts not amendments made to our constitution?

Hon. Mr. DANDURAND—Yes.

Hon. Mr. LANDRY—How were they made?

Hon. Mr. DANDURAND—By Acts by the Imperial Parliament.

Hon. Mr. LANDRY—Were the provinces consulted?

Hon. Mr. DANDURAND—Not generally.

Hon. Mr. LANDRY—Not consulted.

Hon. Mr. DANDURAND—I would answer without reference to the statutes themselves. They were when we went solemnly to the British House of Commons and asked the Imperial Parliament to alter the financial clause and the financial conditions which had been agreed upon at Confederation. We passed a resolution similar to this one, but it was passed upon a conference of official representatives of the province.

Hon. Mr. LANDRY—When that demand was made to the British parliament who gave to this parliament the power to name Senators from the Northwest, was that based on resolution, and was that not an amendment to the British North America Act?

Hon. Mr. DANDURAND—Well, we were increasing the area of our country and its population.

Hon. Mr. LANDRY—Against our interests.

Hon. Mr. DANDURAND—But we did that in virtue of powers that had been granted this parliament.

Hon. Mr. LANDRY—It was powers granted to this parliament by amendment of the British North America Act. We had a fixed number of Senators in this country

Hon. Mr. DANDURAND—There is no question about it, and I consider that as far as I can apply the general principles that the older provinces should have been consulted at the time.

Hon. Mr. LANDRY—No, I am giving you precedents to the contrary.

Hon. Mr. DANDURAND—But when we did ask the British Parliament four or five years ago to alter the financial conditions which had been agreed upon at Confederation, we said, 'With the consent and sanction of the various provinces,' and a resolution which was brought before this chamber so stated: I believe that this last amendment should be submitted to the provinces, and that this Act should have the form of an enabling Act rather than be in present form.

Hon. Mr. BEIQUE—I propose to take a few minutes for a discussion of the several points raised by my esteemed friend the Senator from De Lorimier, and to recall the proceedings which took place between the several provinces in October last. I therefore move that the committee rise and report progress and ask leave to sit again.

Hon. Mr. LOUGHEED—Will my hon. friend assure me so far as he possibly can that he will get through with the business to-morrow in time for prorogation?

Hon. Mr. BEIQUE—Yes, I have no doubt we will be able to dispose of the business.

Hon. Mr. LOUGHEED—Then I shall rely upon my hon. friend not to prolong the discussion.

Hon. Mr. KERR—I think we ought to ask some information from the hon. gentleman before we are asked to make promises here. What prospect is there for getting the other business down? What is the other business, and when will we see it?

Hon. Mr. LOUGHEED—I have already assured my hon. friend that there is other business.

Hon. Mr. KERR—I would ask what it is.

Hon. Mr. LOUGHEED—I have already stated this evening that to-morrow there is the third Reading of the Supply Bill; there are resolutions which we are discussing to-night; there is to be I expect a message on the Postal Act from the Commons, and there is the Redistribution Bill.

Hon. Mr. KERR—I think there is nothing like being perfectly fair and candid about this matter, we ought to be dealt with in the same way by the other side. At what stage can we expect to have that other business? Can we have it whenever we meet, so that we can consider it, or are we

expected to consider this and then have a dose doled out and then a third and take a chance of not having time to look at it at all. I do not wish to be either brusque or rude about this, but I wish to be firm, and think we ought to have a distinct and definite understanding.

Hon. Mr. LOUGHEED—I can scarcely think my hon. friend is desirous of more information than I have already given him.

Hon. Mr. WATSON—May I ask my hon. friend when the resurrection took place. He informed us yesterday that the Postal Bill was dead.

Hon. Mr. LOUGHEED—Is my hon. friend not aware that a message was sent down by this House to the House of Commons?

Hon. Mr. WATSON—Yes.

Hon. Mr. LOUGHEED—Well, it would not be an unreasonable thing for the House of Commons to send back another message. Of course I regret very much that we have to keep the opponents of the Bill in Ottawa to learn what the conclusion will be.

Hon. Mr. WATSON—The hon. gentleman assured us yesterday that the Government would not accept the Bill if amended, and he said it was dead. I was wondering how it was resurrected.

Hon. Mr. BOLDUC from the committee reported progress and asked leave to sit again.

The Senate adjourned until 10 a.m. tomorrow.

THE SENATE.

Friday, June 12, 1914.

The SPEAKER took the Chair at Ten o'clock.

Prayers and routine proceedings.

SUPPLY BILL.

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of Bill (228), An Act for granting to His Majesty certain sums of money for the public service for the financial years ending March 31, 1914, and March 31, 1915.

Hon. Mr. BOSTOCK—This Supply Bill was brought down to the House last night, and we have only had a very few minutes to consider the amount of money that this country is proposing to spend this coming year. The total figure given us last night by the hon. leader of the Government in this House, amounted to $208,000,000 for the expenditure of the country during the present year. A short time since, when the Budget was discussed in the House of Commons, we were told that the revenue of the country would amount to somewhere about $163,000,000, and at the same time we were told that the revenue represented a decrease over the revenue the year before of $5,000,000. In comparing the amount that the hon. gentleman told us last night we were going to spend in this country this year, with the amount spent last year, we find there is an increase in the proposed Budget of some $6,000,000. Therefore, our expenditure is going up all the time, and our revenue is decreasing. The hon. gentleman last night claimed that the great expenditure of the country was due to the action of the late Government, but the late Government was justified in the view they took of the condition of the country, because during the years they were in power, starting from 1902, they had a series of surpluses—the business of the country was on the increase, the revenue was on the increase, and the general development of the country was going ahead in the most satisfactory manner. But now we seem to have come to a condition where the tide is turning, where the condition of the country is changing, and I say it is time this question should be very carefully considered; that we should not be providing for this enormous expenditure when our revenue is falling off in the way it is. Since the end of the fiscal year 1913-14, the reports that we have received of the revenue of the country show that it will probably decrease for the year 1914-15. Unless some very material change takes place in the condition of the country we are very liable to find that the revenue of the country for the coming year is less than it is for the year just past, at the same time the prospect of development of business throughout the country this year, I regret to say, is not very encouraging. All the information that we received from various parts of the country point to the fact that we have come to the period when the advance of the country in material prosperity is not as rapid or as great as it has been in the past. Again we find on looking at our immigration returns that immigration is not going ahead in the way we could wish. We have had a very great immigration into this country for several

years past, and it is a well known fact that immigrants coming into this country not only bring with them energy and intelligence to help forward the development of important resources, but they bring with them a certain amount of money which helps very largely to forward the business of the country. I say therefore that the Government should have been more careful in the proposals that they have made to the country this year, and should not have brought down a Budget providing for such a large amount of expenditure over and above the possible revenue. I might refer to some remarks that were made some five or six years ago by the hon. leader of the Government of to-day, when he was criticising the late Government on a question of this kind, and he objected very strongly at that time on the ground that there was no relation whatever between the revenue and expenditure of the country. The hon. gentleman in speaking on that occasion was very strong on this point, that the Government of the day had not taken into proper consideration the relation between the expenditure and revenue of the country, that they had not considered the condition of the country sufficiently in the large expenditure which they proposed at that time to bring down. A great deal of what was said by the hon. gentleman at that time can be brought to his attention now, and he might well consider the views that he took on that occasion. The hon. gentleman even went so far at that time as to suggest that it might possibly be the duty of the Senate to throw out the Supply Bill in order that the Government might be given the opportunity to consider the situation, and see if they could not mend the condition of things. I would not propose to take such a drastic step at the present time, but I think that if that proposal was justified then it would be equally justified at the present moment. We have also seen, by the appropriations that have been made, that a large amount of this expenditure is not proposed for the purpose of developing the resources of the country as much as it is proposed for building up and furthering the expenditure on the militia. The people of the country to-day are not satisfied with the way the money is being spent on the militia, and they will have a very strong expression of opinion to give, when they have an opportunity of saying what they think about it.

The motion was agreed to, and the Bill was read the third time and passed.

Hon. Mr. BOSTOCK.

INCREASED REPRESENTATION IN THE SENATE.

IN COMMITTEE.

The Order of the Day being called:

House again in Committee of the Whole on the address from the House of Commons respecting the amendment of certain provisions of the British North America Act, 1867, increasing the number of senators, etc.

Hon. Mr. LOUGHEED moved that the House resolve itself into a Committee of the Whole on the Address.

Hon. Mr. DANDURAND—This resolution, I take it for granted, is only justified because of the Redistribution Bill in the other Chamber, and the reorganization of the Senate and the increased number of senators will only take place as a consequence of a redistribution based on the census. Now we have the statement from the hon. leader of the Government that he intends to bring before the Senate to-day a Bill to readjust the representation in the House of Commons. I contend that we should wait until that Redistribution Bill is brought before this Chamber in order that we may be sure that there is such a thing. It is important that we should have that glaring fact before us, because the House of Commons did not send us a Redistribution Bill, I contend that it would be our duty to adjourn the consideration of this address until the Redistribution Bill is brought before us. I would suggest therefore that we suspend action on this resolution, until the Redistribution Bill reaches this Chamber, and my hon. friend may feel sure that when it comes we will dispose of these two orders in less than half an hour, because we have discussed at length the questions involved in the resolutions brought before us yesterday.

Hon. Mr. LOUGHEED—I give my hon. friend every assurance that if these resolutions are adopted by this House, the Redistribution Bill will be brought up this morning.

Hon. Mr. DANDURAND—Has it passed the House of Commons yet?

Hon. Mr. LOUGHEED—It is before a committee of the House of Commons.

Hon. Mr. DANDURAND—What assurance have we that it will be adopted by the House of Commons?

Hon. Mr. LOUGHEED—I can give my hon. friend the assurance of the Government that it will be brought down, I think both measures should be coupled together.

The Redistribution Bill will be brought down by the time these resolutions are considered.

Hon. Mr. DANDURAND—All I have seen is what has been distributed to us. I know the redistribution is none of our concern except that there might be such a colossal injustice done that this House would be moved to interfere. I have not heard of any such injustice in any shape or form. I know that one cannot make omelettes without breaking eggs; I have seen nothing that would justify me in interfering with the Redistribution Bill, but it has not yet passed out of control of the House of Commons, and I suggest that we had better wait until the Redistribution Bill is before us.

The SPEAKER—We could pass these resolutions and reserve ourselves the right to send them back at our pleasure.

Hon. Mr. LOUGHEED—I am quite content that those resolutions should not go to the House of Commons until the Redistribution Bill comes here.

Hon. Mr. BOLDUC—We can proceed with the resolutions, and when the committee report, the adoption of that report can be delayed until we have the Redistribution Bill, so that my hon. friend may be assured that the Redistribution Bill will be practically adopted at the same time that the resolutions are.

Hon. Mr. LOUGHEED—My hon. friend should accept my statement that the Redistribution Bill will be submitted to this Chamber, and that this measure need not go down to the House of Commons until the Redistribution Bill comes to us.

Hon. Mr. BOSTOCK—We have at the present time this address before us; the Redistribution Bill is in the other House. If we proceed with this address what we do here may have an effect on the Redistribution Bill coming up.

Hon. Mr. LOUGHEED—No, I give to my hon. friend the assurance that the Redistribution will be brought down, and that no action will be taken upon these resolutions by the House of Commons, except the Redistribution does come down.

The motion was agreed to.

In the Committee.

Hon. Mr. BEIQUE—The hon. leader of the Government in moving the second reading of this resolution said very properly, as regards the provinces of Alberta and Saskatchewan, that this Parliament had clearly the right to provide for increased members to the Senate. This is borne out by section 2 of the Imperial Act of 1871 which reads as follows:

> 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, etc.
>
> And may at the time of such establishment make provision for the constitution and administration of any such provinces and the passing of laws for the peace, order and good government of the province and for the representation in the said Parliament.

In virtue of that provision when the territories of Alberta and Saskatchewan were erected into provinces a provision was made to this effect in each of those Bills.

> The said province shall be represented in the Senate of Canada by four members, provided that such representation may after the taking of the next decennial census be from time to time increased to six by the Parliament of Canada.

Therefore there can be no doubt as to the power of this Parliament to increase the number of senators as regards these provinces, but I understood the hon. leader to state that as regards the other two provinces Manitoba and British Columbia there were doubts, and that therefore the object of this Bill was to remove those doubts. If that were correct, we would not be so much concerned with these provinces as we should if instead of there being a doubt, there was no doubt that they had that power.

Hon. Mr. LANDRY—I will call the attention of the hon. gentleman to the fact that the hon. leader of the Government when he made that statement said there were doubts, in so far as Manitoba was concerned, but so far as British Columbia was concerned there was no doubt at all that they had no right.

Hon. Mr. LOUGHEED—We admit we have no right as regards British Columbia without imperial legislation.

Hon. Mr. BEIQUE—I accept the correction but I think it is well to make that point clear. As regards British Columbia there is no right. As regards Manitoba I do not think there is any doubt that this Parliament has no right. By the Act providing for the establishment for the province of Manitoba, which was passed in 1870, it was provided as follows:

> The province shall be represented in the Senate of Canada by two members until it shall have according to its decennial census a popu-

lation of 50,000 souls, and from thenceforth it shall be represented by three members until it shall have according to the decennial census a population of 75,000 souls, and from thenceforth it shall be represented by four members.

Hon. Mr. BEIQUE—I do not see that there can be any doubt.

Hon. Mr. LANDRY—Not further than four members.

Hon. Mr. BEIQUE—Not further than four members. The object of this resolution is to have six members, therefore there can be no doubt that this Parliament can not have any more power as regards Manitoba than as regards British Columbia to increase the number from four to six. This is the only thing that I intend to say on that point. It is perfectly clear that there cannot be any doubt whatever that Parliament has no right whatever to provide for an increase in the number of senators from the province of Manitoba from four to six; and it is admitted that, as regards British Columbia, this Parliament has also no power whatever to provide for an increase of the number of the members of the Senate. Another point to which I wish to draw the attention of this honourable House is that to which my hon. friend the member from Mille Iles and the member from De Lorimier directed attention. It is in connection with the last paragraph of these resolutions, which states that:

Notwithstanding anything in this Act (that is, the British North America Act of 1867) a province shall always be entitled to a number of members in the House of Commons not less than the number of senators representing such province.

This may be considered as a matter of small consequence, and to a certain extent it may be looked on as an act of justice to the province of Prince Edward Island. It may even be claimed that if at the time of the passing of the British North America Act it had been anticipated what is taking place now on account of the census, that their representation would be diminished, provision might have been inserted in the compact to guard against that; and I would not like to be understood as begrudging the right they are claiming, but where I am considerably exercised is when I reflect on the consequences of our doing this without the consent of the provinces who were parties to the contract, because it is a clear violation of the compact in both cases. When the several provinces in 1867 agreed to come into Confederation, they did so upon a clear provision that the representation of the province of Quebec would for all time be limited to 65, and that the other provinces would be entitled to a representation based on the representation of the province of Quebec. I was just commencing to take an interest in politics at that time, and I remember the very strong campaign which was made by the Liberal party at the time, and in which campaign a number of Conservatives joined, against that provision of the British North America Act. It was considered by a large portion of the population of Quebec that that province was sacrificed. It was not expected at that time that the population in the province of Quebec would increase very much, and it was anticipated that the representation of the other provinces would go on increasing for all time, while the province of Quebec would remain stationary with sixty-five members, and that therefore injustice would be done to the province of Quebec. Well, happily in this as in other respects the province of Quebec has been protected by Providence.

Hon. Mr. DAVID—To a certain extent.

Hon. Mr. BEIQUE—Its population, instead of remaining stationary, has considerably increased, and we hope that it will go on increasing more and more. The province is being developed in such a way that it will very soon be second to no other in the Dominion, and instead of working to the detriment of the province of Quebec this morning this provision has worked to its advantage.

Hon. Mr. DAVID—To some extent.

Hon. Mr. BEIQUE—It has worked to its advantage—well, to some extent. If the principle involved was merely that of coming to the relief of Prince Edward Island, or even of some other of the provinces as regards preventing the number of their representation from being reduced to less than the number of senators, I would not raise my voice at all. But what I am afraid of is the precedent that we are creating by consenting to anything of the kind. It seems to me that the consent of the provinces should be obtained before the change is made, because if this Parliament undertakes to interfere with the contract made by the several prov-

inces at Confederation it may be a precedent of which the West will take advantage when it has increased enormously in population. The West may bring pressure to bear on Parliament to secure another amendment to the Constitutional Act providing for an increase of their representation. I hear a suggestion that when that time comes we can adopt measures to protect ourselves. It is far better not to establish the precedent. I cannot believe that the province of Quebec, or any of the other provinces, would object to giving their sanction to this measure. But the provinces that were original parties to the compact should be given an opportunity to give their consent. I propose when we reach this clause to place myself on record. I am asked whether this point was discussed in the other House. I am not sure—I do not think it was.

Hon. Mr. PROWSE—Representation by population was all right for the provinces that accepted it, but Prince Edward Island came into the Confederation under an absolutely clear contract, and with the distinct understanding that she should have six representatives. The word readjustment was never intended to apply to the cutting down of the number of representatives of the island. I wish the House to understand that point—that Prince Edward Island did not come into the compact with the understanding that there would be representation by population in her case. She came in under a bargain, and if the late Government has violated that bargain in cutting down our numbers it is the duty of this Government to rectify that wrong.

Hon. Mr. BEIQUE—It is not necessary for me to take issue with what the hon. gentleman has said; it does not affect my point. It might affect my point if the provision were limited to Prince Edward Island, but it affects Nova Scotia and New Brunswick, and possibly other provinces and, therefore, my point remains untouched.

On subclause 1 of the first clause.

(1) The number of senators provided for by section 21 of the British North America Act, 1867, is increased from seventy-two to ninety-six.

Hon. Mr. BOSTOCK—This subclause provides that the number of senators provided for by section 21 of the British North America Act of 1870 is increased from 72 to 96. I would like to point out to hon. gentleman that this is an increase of the present representation of the Senate.

Hon. Mr. LANDRY—From 72.

Hon. Mr. BOSTOCK—And that on other occasions when this question of increasing the representation of the Senate has been provided for, it has been provided for in a different way from what this subsection proposes. Under this subsection they assume that as soon as the British Parliament passes this Act the increase in the Senate can be brought about by Order in Council of the Government of Canada, but on a former occasion, in fact I may say on two occasions, in regard to the Acts dealing with Alberta and Saskatchewan the clause was put in in this way. Clause 4 of the Act assented to on the 20th June, 1905, reads as follows:

The said province shall be represented in the Senate of Canada by four members provided that such representation may after the completion of the next decennial census be from time to time increased to six by the Parliament of Canada.

The increase in that case is to be dealt with by the Parliament of Canada and not by the Governor in Council.

Hon. Mr. LANDRY—For what reason? Because when the constitution was given, by a law of Parliament, that provision was put in. We have no power, now having exhausted that power, to increase the representatives of the other provinces.

Hon. Mr. DANDURAND—The hon. gentleman does not see the point.

Hon. Mr. LANDRY—I see the point very well. The hon. gentleman must not tell me I do not see the point.

Hon. Mr. DANDURAND—My impression judging by the hon. gentleman's answer was that he did not apprehend the point.

Hon. Mr. LANDRY—I see the point. The hon. gentleman wants to impress upon us that in the case of Alberta and Saskatchewan we have provisions in our law to meet the case.

Hon. Mr. DANDURAND—That is not the point.

Hon. Mr. LANDRY—And in this case why did we not do the same thing?

Hon. Mr. BOSTOCK—I was trying to explain the position I wanted to place before the House in this matter. The address we are now considering provides that the increase in the number of senators may be

made by the Governor in Council in the Dominion of Canada when the British Parliament passes the Act we now ask them to agree to. In the case of Alberta the increase is to be made by the Parliament of Canada. The point I want to make is; why do you depart from that principle? We then adopted the principle that in giving the increase in the Senate it should be done with the sanction of the Parliament of Canada.

Hon. Mr. LANDRY—For this reason; because Alberta and Saskatchewan were given four senators, which was to be increased to six after the next decennial census. It was done under the power given to us by the amendment of the British North America Act 1871, but that section said that, after that has been done no additional senators could be appointed. In the case of Manitoba, power was given by the legislation of 1870 up to four senators, two in the inception, three when the population was 50,000, and four when the population was 75,000, but it did not go farther So that if we want to give to-day an additional number of senators to Manitoba, on what authority should we rely?

Hon. Mr. DANDURAND—On the next Imperial Act.

Hon. Mr. LANDRY—That is, the one we are asking for.

Hon. Mr. DANDURAND—But I said His Honour the Speaker did not seize the point that my hon. friend to the left (Hon. Mr. Bostock) is making. The point is that the next Imperial Act, which we are now discussing, is not an enabling Act.

Hon. Mr. BOSTOCK—My point is that the increase should be brought about, not by Order in Council of the Government of Canada, but by an Act of the Parliament of Canada, and that in passing this clause the Act should provide for making this simply an enabling Act for the purpose of dealing with the question that way. I would like to hear from the leader of the Government why it was thought advisable to depart from that principle which was adopted in 1905 with regard to these two provinces; why it should not have been carried out in this case?

Hon. Mr. LOUGHEED—In precisely the same way as the original group was appointed. No more authority should be needed than was formerly given under the British North America Act as to the appointment of senators constituting the three groups, namely the group from Quebec, the group from the Maritime provinces, and the group from Ontario. Why should any distinction be drawn?

Hon. Mr. BOSTOCK—When the original British North America Act is put through by the British Parliament, there was no Canadian Parliament to deal with the question, and it was therefore quite natural that the British Parliament should arrange that the appointment of senators should be made by Governor in Council. Now, since the Canadian Parliament is in existence, it was most proper that this question should be settled by an Act of the Parliament of Canada rather than by an Order in Council.

Hon. Mr. BEIQUE—The question is a very proper one, and the answer of the leader of the Government does not meet the point. There is this other consideration to be taken into account; this is providing for the maximum number of senators to be given to the several western provinces. The western group of provinces will be entitled under that to twenty-four members in the Senate. That is the maximum number, but the question is as to whether, when they should reach that maximum, it should be left to be settled by Parliament.

Hon. Mr. LOUGHEED—Except as to the province of British Columbia, Parliament has already expressed itself by enactment as to the other three provinces, Manitoba, Saskatchewan and Alberta.

Hon. Mr. BEIQUE—So long as there is one province not provided for, the question has not been settled. If the Bill is defective, I think it is defective in this: that it is sought to substitute for Parliament the action of the Lieutenant Governor in Council. It seems to me that it should be an enabling power that should be given to Parliament, and then Parliament in its discretion should decide when the several provinces would be entitled to the maximum number.

Hon. Mr. DANDURAND—The point which my hon. friend to the left, (Hon. Mr. Bostock) has made is one that I tried myself to make last evening. I wondered why this Act was not an enabling Act, instead of a clear-cut Act which will come into effect as a matter of course and will enable the appointment by Order in Council of the increased number of senators. I notice that to-day the West has 15 senators—Manitoba four, Sask-

atchewan four, Alberta four and British Columbia three. By this Act the number will be increased to 24. Now, is it the intent to make that increase at one fell blow, or progressively according to development, or from time to time? I do not know.

Hon. Mr. LOUGHEED—Does my hon. friend mean the additional nine?

Hon. Mr. DANDURAND—Yes.

Hon. Mr. LOUGHEED—Those provinces are entitled to the additional nine on the basis of their population alone, also on the basis of their interest and importance. Surely no hon. gentleman in this Chamber will deny for a moment that the province of Manitoba is entitled to six senators, and likewise the province of Saskatchewan, which is very much larger than Manitoba, and likewise the province of Alberta. My hon. friend the leader of the Opposition will not deny that his own province is surely entitled to six members. That representation should be given at once, and hon. gentlemen on the opposite side of the House should not hesitate for a moment to say 'We will expedite the representation of those provinces in this Chamber in every possible way.

Hon. Mr. DANDURAND—My hon. friend is absolutely wrong in the point of view he takes.

Hon. Mr. LOUGHEED—That may be your opinion, but it is not the opinion of the West, and not the opinion of the House of Commons either.

Hon. Mr. DANDURAND—I submit it to my hon. friend's judgment. He says that those provinces are so large and influential as to be entitled to the representation right away. His basis is not the constitutional one, because the Senate was not organized on the population basis; it was organized on the American system which allows two senators for the state of New York and two senators for Rhode Island. When I look at the reason why this Senate was organized, I think that the point of view of my hon. friend, constitutionally speaking, is wrong, because population is not the basis. That was not what actuated me in putting the question. I simply wanted to know what was the policy of the Government, or if my hon. friend expressed that policy; that is all; because even if there were half the number of senators there are to-day, I would not object to the increase because of the fact that they would have a smaller population. Population is not the basis.

Hon. Mr. LOUGHEED—My hon. friend's own Government expressed in the Provincial Acts of Saskatchewan and Alberta, and made provision in those Acts that upon the census of 1911 being taken, increased representation would be given to those two provinces.

Hon. Mr. DANDURAND—I know that perfectly.

Hon. Mr. LOUGHEED—If that be the case, those two provinces were entitled to the increased representation upon the completion of the census, and the argument is infinitely stronger as to why British Columbia and Manitoba should have increased representation. They are older provinces, and have a greater claim than the two provinces to which I have alluded. The late Government of the hon. gentleman's friends placed on the statute-book the declaration that they were entitled two years ago to that representation.

Hon. Mr. DANDURAND—My question is not a contentious one, and I do not intend to dissent from the view of my hon. friend. I was simply asking him if it was the policy of the Government—because it is a question of policy—to bring the increased representation of the Senate from the West to its full figure of twenty-four when the Imperial Parliament has acted; and my hon. friend says, yes, that that is the policy of the Government. Now another question with the permission of the leader of the Government: when are those increases, by the ordinary practice, made to this Chamber? Are they made at the same time? Do they run on the same lines as the increase of representation in the other Chamber? When is the occasion of the increase in the Senate?

Hon. Mr. LOUGHEED—That, I would say, would be within the discretion of the Government. Neither the present Government nor the late Government was recklessly fast in appointing senators to vacancies, and I am not prepared to say, if the Government had the authority, when they would appoint them.

Hon. Mr. DANDURAND—I am not speaking of this present case; I am rather speaking of the tradition. Does not this increase in senatorial representation run concurrently with the increased representation in the other House?

Hon. Mr. LOUGHEED—No; the declaration of my hon. friend's own political party, which is to found in the Statute of 1905, was that the two provinces of Alberta and Saskatchewan were entitled to the increased representation immediately the census of 1911 was taken, that increased representation should have been made before this.

Hon. Mr. BEIQUE—Where will the hon. gentleman find that?

Hon. Mr. LOUGHEED—You will find it in the Provincial Act of Saskatchewan, the Provincial Act of Alberta.

Hon. Mr. BEIQUE—The hon. gentleman is mistaken if he will allow me to say so. Section 4 of the Provincial Act says:

The said province shall be represented in the Senate of Canada by four members provided that such representation may, after the completion of the next decennial census, be from time to time increased to six by the Parliament of Canada.

It was enabling power that was given, to be exercised by the Parliament of Canada, which reserved its power to do it from time to time as might be deemed advisable; and our contention—the contention of the hon. leader of the Opposition as I understood him,—was that the resolution should demand that the Imperial Parliament give to the Parliament of Canada the enabling power to increase the representation in the Senate from the western provinces from time to time as Parliament may deem advisable, to the number of six in each province, or 24 in all. In that way we would be acting exactly on the lines followed heretofore as regards the very same matter, and to my mind it would be much more logical to ask that this clause be exercised by Parliament than let it be exercised by Orders in Council.

Hon. Mr. DANDURAND—I do not intend to press the point, but it seems to me there is very much more in the contention of my hon. friend to my left (Hon. Mr. Bostock) seeing the precedents all tend to ask the British Parliament to give us enabling powers instead of that Parliament making the law for itself. That is why I was asking my hon. friend if the Government intended, or had made up its mind, to appoint the nine senators and did not care to ask Parliament to give it the right to do so whenever it pleased, or if it relinquished that right of Parliament to say when and by what number the Senate would be increased, and leave to the Imperial Parliament the right of saying in a clear-cut way, 'The increase will be mine'. My hon. friend admitted at the outset this morning that the occasion for this legislation is the last census taken, and the redistribution of the seats in the House of Commons; our point was well taken when we said that this resolution should not leave the Senate until the redistribution had reached here in order that we should be sure that there is such a thing as the redistribution of the House. Inasmuch as the Act is in this form and is not an enabling Act, I simply wanted to know that it was on this form because the Government had a clear mind as to the necessity of increasing the representation of the West up to 24. My hon. friend says yes. Now I put that other question, if this increase in representation in the two Houses runs concurrently, are not the principles which govern the redistribution of the House of Commons, and the increases there, to avail and to cover the increased representation in the Senate, which is to be done after dissolution? That is the question which I wanted to put to my hon. friend.

Hon. Mr. CLORAN—As a Canadian I am surprised at the moderation of the demands of the people of the West in this group that is coming in—the northern group. We have the Maritime group, the Quebec group, the Ontario group, and now we have the Northern group, that territory which is now one of the most flourishing parts of Canada and destined to attain a very large population. It is several times larger than the other groups in the past. The actual representatives of that territory are not too pressing in their demands; they are not exaggerating the situation. They are simply satisfied to be placed on the same basis as the older groups of the Dominion. I consider that a very moderate position to take in view of their prospective development. While our population in the East will grow slowly, the West is destined to have an enormous increase of population. I am surprised at their moderation in asking to be placed on an equal basis with the old group. I am also in favour of giving them increased representation. They have more population in the four western provinces now than the older provinces had at the time of Confederation. British Columbia alone has as much population as the Maritime provinces; Alberta and Saskatchewan have almost as much as the province of Quebec, and Manitoba practically the same. I do not think there can be any objection to the Government giving

them full representation from now on, but that representation should not precede the increased representation in the House of Commons. That is a principle that I am sure will be acceptable to the Northwest and that the people of the rest of Canada will demand. This House would not be acting wisely if it allowed the Government in the near future to bring into this House eight or ten new senators without having corresponding increased representation in the Lower House. The hon. leader of the Government has just said that the appointment will be made at the discretion of the Government. I shall do all I can to limit that discretion by asking that a clause be inserted in the Bill to provide that the increased senatorial representation shall only take place concurrently with increased representation in the House of Commons. That is not settling the policy of the Government; it is only protecting the rights of the people, and especially of the Liberal party. The aim of the Government is to get a majority in this House. Any Liberal who will stand for that does not deserve to be in this House. As long as the Liberals have the power to protect their rights in that matter they should do so. They should demand that a Government place an amendment in the Redistribution Bill to provide that it shall only become effective after the next general election. It is not a matter of calling their policy in question; I am with them up to that point.

The clause was adopted.

On the 3rd paragraph:

Hon. Mr. BOSTOCK—The hon. leader of the Government referred to the increased representation of British Columbia and suggested that it was given on the basis of population at the present time.

Hon. Mr. LOUGHEED—No, I did not put it that way. I said that representation should take into consideration the interests of the province as well as of the population. All those are factors which should be taken into account.

Hon. Mr. BOSTOCK—Taking into consideration all those different factors affecting the province of British Columbia, it may not be very long before that province and the other western provinces will consider this representation which we are now giving them insufficient. On that basis they might before very long, demand that they shall have a greater representation in the Senate than the six members provided for under this clause. Those western provinces are liable to develop very quickly, and their population will increase very fast, their importance will increase in the same way, and the demand may be made before many years are over that the representation in the Senate should be made for each province possibly equal to the representation in the Senate from Ontario. At the present time New Brunswick has a representation of ten members in the Senate, and the province of New Brunswick is not as large and not developing to the same extent as the western provinces are, and consideration of that fact might give to the people of the West, the provinces of Saskatchewan and Alberta and British Columbia, a greater representation than they propose to give them under this Act. Therefore, I do not see that this arrangement can have any very final effect.

Hon. Mr. LOUGHEED—We will have to come back again.

The clause was adopted.

Hon. Mr. DANDURAND—I would urge my hon. friend, whose career as minister of the Crown may be short or long, and I would express no opinion as to what my desires are—personally I suppose he would be glad to be free at an early date of the responsibilities that worry the State—I would urge my hon. friend to take up with his colleagues the question of the desirability of cutting down the representation in this Chamber from a possible maximum of 104 to a possible maximum of 54.

Hon. Mr. BEIQUE—I join in that expression of hope. I do not think it would be proper on our part to urge that now, because it would be liable to be interpreted as a desire that the present Administration should be prevented from replacing Liberal members by Conservative members in this House. Personally I am in favour of the House being as nearly divided as possible, and, therefore, approve of the changes which take place from time to time in this House. I hope as soon as possible this House will take action in expressing its unanimous approval of the reduction of the number of senators.

Hon. Mr. LOUGHEED—These provinces would have a good deal to say about that.

Hon. Mr. DANDURAND—The proportion would be maintained.

Hon. Mr. BEIQUE—Always maintaining the same proportion. Instead of giving 24 members to each group, it should be reduced to 20 members, so that there would be in all 80 members.

The clause was adopted.

On subclause 2 of clause 5:

2. The British North America Act, 1867, is amended by adding thereto the following section immediately after section 51 of the said Act:

(51 A) Notwithstanding anything in this Act a province shall always be entitled to a number of members in the House of Commons not less than the number of senators representing such province.

Hon. Mr. BEIQUE—I desire to offer an amendment to this clause by adding the following:

This provision shall not take effect until the consent of the legislatures of the several provinces has been obtained.

Hon. Mr. LOUGHEED—Without entering into any argument on the subject, I would point out to my hon. friend that the other provinces are not parties to the compact as between the federal authority and the province of Prince Edward Island. What my hon. friend has said might well apply to the original provinces, namely, Ontario, Quebec, New Brunswick and Nova Scotia.

Hon. Mr. BEIQUE—I have no objection to limit it in that way.

Hon. Mr. LOUGHEED—It seems to me that it is practically a matter between Prince Edward Island and the Dominion of Canada.

Hon. Mr. BOSTOCK—It does not say so in this.

Hon. Mr. POWER—Probably the hon. gentleman from De Salaberry may be, in a sense, right, but there is no doubt that the case of Prince Edward Island is an exceptional one, and every member of this House and every one who is interested in the country has noticed with regret the falling off of the representation in Prince Edward Island in the Commons. Now the gentleman who speaks on behalf of Prince Edward Island says that this was owing to some clerical error at the time Prince Edward Island entered the union. Prince Edward Island is to have only four senators. If this clause were likely to have any effect outside Prince Edward Island it might be a different thing, but really I think it is such a small infringement of the British North America Act that we had better let it pass.

Hon. Mr. DANDURAND.

Hon. Mr. BOSTOCK—It is general.

Hon. Mr. POWER—Well, we are not going ahead as fast in New Brunswick and Nova Scotia as we might wish. However, the day is far distant when the representation of either of these provinces will be reduced below ten. That is the number of senators to which each province is entitled, so that I feel that really the only provinces as to which this provision has any practical effect is Prince Edward Island, and I do not feel like raising a question as to that.

Hon. Mr. LOUGHEED—It is not a proper thing that the number of representatives in an appointed House should exceed the number of representatives in the popular Chamber.

The committee divided on the amendment, which was rejected.

Hon. Mr. BOSTOCK—We have made considerable progress with this measure and I would ask the hon. leader of the Government whether, in view of the fact that we have not yet received the Redistribution Bill, that we should rise, report progress and ask leave to sit again.

Hon. Mr. LOUGHEED—I was about to propose that we send a message to the Commons that we concur in the resolutions, and I am quite willing my hon. friend should move an amendment that the address should not be sent down to the Commons until Redistribution comes up.

Hon. Mr. BOSTOCK—I understand my hon. friend is not prepared to agree to the motion that the committee should now rise and report progress.

Hon. Mr. LOUGHEED—I think we should dispose of the business as far as we can. I have given every assurance to my hon. friend that Redistribution will be brought down. I understand it will be here before twelve o'clock.

Hon. Mr. BOSTOCK—I desire to move that the following be added to this resolution as clause 3:—

That this Act shall not take effect until the termination of the now existing Parliament.

Hon. Mr. LOUGHEED—If my hon. friend persists in that motion and it should be carried the Government will not accept it, nor should the Government in my judgment bring down the Redistribution Bill. I might as well say that candidly. I am not denying one moment the power of this Chamber to deal with this matter, these

resolutions were unanimously agreed to in the House, not only between the two leaders, but between the two parties in the House of Commons, and it was thought there that they should be coupled in that way, I shall not occupy further time in saying that the Government in my opinion should insist upon having these resolutions adopted in their entirety before submitting to this House the Redistribution Bill.

Hon. Mr. BOSTOCK—One of the reasons for moving this amendment is that in the original British North America Act, subsection 5 of section 51 reads as follows:—

Such readjustment shall not take effect until the termination of the then existing Parliament.

That amendment is on all fours with this subsection of clause 51, and that is a matter entirely dealing with the internal domestic status of the Senate. It is very desirable that an amendment of this kind should be made to the address.

Hon. Mr. POWER—I am a little surprised at the attitude assumed by the leader of the Government. He appears to think that this House should not meddle with this address. Inasmuch as the address deals with the Senate and not with the other House, it seems to me, that properly speaking it should have been introduced in the Senate. However it was introduced in the other House and comes to us and now we are told that if we undertake to amend it, no matter how reasonable that amendment may be, the Redistribution Bill, which is a very important measure and which the members of the Commons and the Government are very much interested in, should be dropped. The hon. gentleman has on more than one occasion thought that the Senate were acting wrongly and were influenced by partisan spirit, but in nearly every instance experience has shown that the Senate was right. A little reflection would convince him that the Senate is right now. What does the amendment proposed by the hon. leader of the Opposition really mean? It means that until a general election has been held—

Hon. Mr. DANDURAND—Dissolution of Parliament.

Hon. Mr. POWER—Does not that mean an election? It generally does. It means that until the present Parliament is dissolved this large addition should not be made to the members of the Senate. That is a reasonable proposition. Why should additional members be brought into the Senate before additional members have been brought into the House of Commons? It is much more important that the additional representation to the popular body should go into effect than that the representation in this House should be increased. I should like to see both measures go through, but I repeat I am surprised at the attitude assumed by the hon. leader of the Government.

Hon. Mr. DANDURAND—I hold in my hand the Redistribution Bill, which affects the House of Commons. This House would not think of touching this Bill unless there was such a gross violation of all principles of justice that it became necessary. Now this is the law which the House of Commons has adopted for its self. The last clause provides that 'this Act should take effect only on the dissolution of the present Parliament.

Hon. Sir MACKENZIE BOWELL—It could not take effect before that.

Hon. Mr. DANDURAND—It could if there were not the restrictions imposed by the British North America Act. It might affect by-elections, and after a new Parliament is elected there are many by-elections. If the redistribution increasing the representation in the House of Commons is only to take effect after dissolution, has not the Senate power to declare that the projected increase of its numbers should likewise occur only after the dissolution of the present Parliament. I suppose no one will deny the right of the Senate to prescribe such a condition. My hon. friend says if any amendment is made to this resolution the Government will not bring down its Redistribution Bill. I am quite convinced that my hon. friend was referring to material amendments which would disorganize the policy laid down by the Government in this resolution, but there is nothing which affects the condition that will govern this Chamber in the future. There is simply a declaration that this Act should only come into force, as in the case of the redistribution in the House of Commons after the dissolution of Parliament. For these reasons I see no reason why the House should hesitate to pass such a regular and inoffensive amendment.

Hon. Mr. BEIQUE—I always hesitate to oppose Government measures. The

Government is entitled to every consideration at all times, and I am always disposed to support their measures unless my conscience or my judgment tells me that there are very serious grounds for taking the opposite course. I share the surprise expressed by the hon. member from Halifax at the position taken by the Government, not only in this instance but in many other instances. As the hon. gentleman has said, this is an address which does not properly belong to the House of Commons. It deals with representation in this House, not in the House of Commons, with the exception of the last paragraph; yet we are told that because the House of Commons has settled this matter peculiarly affecting the Senate in one way, it must be accepted by this House. I enter my protest against that, and whatever may become of the Redistribution Bill, I, for one, shall not assent to any such position. We are dealing with representation in the Senate, and it is our duty to be the judge of that, not the House of Commons. We cannot be told by the House of Commons that it is for that House to settle the matter. I protest another reason; this House is entitled to be heard before being told that unless we accept the address in its entirety the Government will not accept our action. It amounts to this, that before we are heard judgment is rendered; before we have had an opportunity to assign our reason for or against a measure the Government has decided that if the Senate moves at all, they will withdraw the measure.

Hon. Mr. DANDURAND—And withdraw another measure which is not before us yet.

Hon. Mr. BEIQUE—And in this instance withdraw another Bill. I hope the hon. member will reconsider his statement that the Government will not act as has been suggested. As stated by the hon. member from De Lorimier, the House of Commons in dealing with its own representation deemed it advisable to provide that the increased representation should only take effect after the dissolution of Parliament. Will it be suggested that that is not an example which the Senate should follow? I hope the hon. leader of the House will reconsider the statement he has made, and that the Government will understand that the Senate is acting within its own sphere in dealing with this resolution.

Hon. Mr. LOUGHEED—I do not deny for one moment the right of the Senate to deal with this Bill; I have never denied that right. But this is peculiarly a measure that was in a sense coupled with the Redistribution Bill. It embodies certain recommendations made by the Redistribution Committee—unanimously made by that committee.

Hon. Mr. WATSON—Only in regard to Prince Edward Island.

Hon. Mr. LOUGHEED—It is a constitutional amendment which I am informed was agreed upon between Sir Wilfrid Laurier, the leader of the Liberal party, and the Prime Minister.

Hon. Mr. WATSON—What is that agreement?

Hon. Mr. LOUGHEED—That these resolutions would be accepted by the Senate—

Hon. Mr. POWER—Sir Wilfrid Laurier has no right to speak for the Senate.

Hon. Mr. LOUGHEED—I was about to say that. I do not say for a moment that the leader of the Liberal party in the other House would have a right to speak for the Senate in a matter of this kind; but it would not be unusual for the two leaders of the two parties to have an agreement as to what should be embodied in an important constitutional amendment like this before us; furthermore, it is a matter upon which the discretion of the Government should be exercised as to when they should make those appointments. There can be no denial as to the right of those provinces to the additional representation which these resolutions propose to give to those provinces.

Hon. Mr. POWER—In both Houses?

Hon. Mr. LOUGHEED—And it is therefore but reasonable that that discretion should be vested in the Government. Of course, it is in the hands of hon. gentlemen to say what they will do.

Hon. Mr. CLORAN—I want to take exception to and challenge the statement of the leader of the Government. He has stated here that the leader of the Liberal party in the Dominion of Canada, and now leader in the House of Commons, is prepared to allow the Government to proceed with increased senatorial representation ahead of popular representation. I challenge that statement. The leader of the Liberal party, Sir Wilfrid Laurier, never made any such concession to Mr. Borden or anybody else, and he could not do it; if he

did it he would not be worthy to be leader and I would be against him. That is plain English, is it not? I challenge the statement of the leader of the Government here that Sir Wilfrid Laurier ever made any such statement to Mr. Borden.

The CHAIRMAN—I would call the attention of the hon. gentleman to this fact, that the hon. gentleman has no right to challenge a statement made by the hon. leader of the Government in this House without being in a position to prove that the hon. gentleman is in error. Unless he is able to give that evidence, he has no right to impute error.

Hon. Mr. CLORAN—That is a peculiar position for a chairman to take. I am here making a statement on my own responsibility.

The CHAIRMAN—You have no right to do that.

Hon. Mr. CLORAN—The chairman has no right to ask me for proof more than what I say, that Sir Wilfrid Laurier has never made any such concession, and if the chairman is not satisfied with the statement let him go and ask Sir Wilfrid Laurier. It is not for me to bring Sir Wilfrid Laurier here, but I make the statement.

The CHAIRMAN—I maintain my decision that the hon. gentleman has no right to make such statement; he has no right to oppose the statement made by the hon. leader of the Government without being in a position to prove that that statement is incorrect.

Hon. Mr. DANDURAND—Will His Honour the chairman allow me—

Hon. Mr. CLORAN—I have a word to say to that; the leader of the Government had no right to make the statement he did. Why did you not call him to order?

The CHAIRMAN—That is another question.

Hon. Mr. CLORAN—When he said that Sir Wilfrid Laurier made concessions to Mr. Borden that this Bill was to go into immediate effect, giving increased senatorial representation without the concurrence of the House, the leader of the Government did not give us any proof of that statement.

Hon. Mr. MURPHY—He did not have to.

Hon. Mr. CLORAN—And why should I have to when I challenge his statement? Is it to be flesh for one and fish for another? Why did the chairman not call the leader of the Government to order? I feel that this is an affront to Sir Wilfrid Laurier for the leader of the Government to make such a declaration before the country. Why did not the chairman challenge his statement and call him to order?

Hon. Sir MACKENZIE BOWELL—He did not say so.

Hon. Mr. CLORAN—Yes, he did say so.

Hon. Sir MACKENZIE BOWELL—I did not so understand him.

Hon. Mr. BEIQUE—The chairman loses sight of the fact that the statement made by the leader of the Government is not a matter of personal knowledge. I suppose he intended to convey that he had information from somebody that such a thing had been stated. If the hon. leader was ready to say that he was a witness to an agreement of that kind, it would be different.

The CHAIRMAN—The only question was that the hon. leader of the Government stated something, and I do not believe that the hon. member for Victoria division (Hon. Mr. Cloran), had a right to say that he was not correct, without being in a position to give evidence that he was wrong. That was my contention.

Hon. Mr. DAVID—I would like the hon. leader of the House to remember that in some circumstances in the Senate his arguments have been so strong and he has made his case so well, that I was induced to go with him. When he does not make a strong case it is because the case is not strong, for when he has a good case he makes a very strong argument which has often convinced me that I should vote with the Government. I appeal to his logical judgment, because his judgment is very logical, and ask him if it is not illogical to contend that the representation of the provinces in the Senate should take place before the representation in the House of Commons is made. The representation in this Senate is the necessary consequence of the representation in the House of Commons. I would submit to the hon. leader of the House this proposition: if provinces had no representation in the House of Commons, would the hon. leader contend that those provinces could be represented in the Senate? Why is this Bill brought before the Parliament? Because there is a new registration as the basis of representation; because in virtue of the last census certain

provinces are entitled to more representation. Would the hon. leader of the House contend that if there was not a redistribution the Government would have thought of bringing such a Bill to increase the representation of those provinces in the Senate? I am sure that the hon. leader, if he reflects and takes into consideration the position we take, will conclude that we are acting within our jurisdiction and going according to all rules of logic.

Hon. Mr. BOSTOCK—The statement made by the leader of the Government with regard to the understanding that was arrived at in the other House in regard to this address, would apply, I think, to the main points of this address. Supposing, for instance, that the Senate had suggested an amendment altering the group of 24 in the West and had insisted on a number of that kind, we might then be very seriously affecting the agreement that was arrived at by the leaders on both sides in the other House. Again, had we dealt with clause 2 of this address on the amendment that was moved by my hon. friend from De Salaberry we would in all probability, as I understand it, be affecting the arrangement that was come to by the leaders in the House of Commons. But the resolution that has been proposed here does not deal with any of those points in the address. As has been stated by my hon. friends here, it simply adds a clause to the Bill stating that it shall not come into effect until the dissolution of the next Parliament. It is on all fours with the clauses in the Redistribution Bill which is now before us. I cannot see why the Senate should not be entitled to pass a clause of that kind and why my hon. friend should take the stand that he does in regard to this matter.

Hon. Mr. LOUGHEED—My hon. friend considers very properly that he has put the matter from his standpoint. Permit me to put it to the House from the standpoint of the Government. The principle of these resolutions is accepted, namely, that the four western provinces are entitled to the representation provided for in the resolution. No one can gainsay the right of these provinces to that additional representation.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. LOUGHEED—That principle being adopted, why should the hands of the Government be tied in carrying out the principle expressed in the resolution. I venture to say that no such handicap is placed on the Government in any statute of which I am aware. That is to say this House compels the Government to withhold the exercise of its discretionary power until a certain event of a political character transpires. That I think is intolerable. No Government could accept an abridgment of its rights in that way, and it is the right of this Government that it should be able to exercise the right of appointment in the event of their considering that this should be done. I do not for a moment deny unto this House the power which it is about to take away from the Government, but as all great political questions of this character must necessarily demand a tolerant consideration from the ranks of the opponents of the Government, the Government feels justified in saying to the Liberal majority in this House that this right should be recognized. The principle being endorsed as to the right to representation in these four western provinces, the Government therefore should not be shackled as to the expression of its discretion at any time.

Hon. Mr. BEIQUE—In order to bring the matter to a common issue I move that the committee rise, report progress, and ask leave to sit again.

Hon. Mr. RATZ—I desire to ask the leader of the Government one question. I do not think it has been denied that the western provinces are entitled to greater representation in this House, but does the hon. leader of the House mean to say that the western provinces are entitled to representation in this House before they are entitled to representation in the House of Commons?

Hon. Mr. CLORAN—That is what he said.

Hon. Mr. LOUGHEED—There is no reason why that should not be done.

Hon. Mr. CLORAN—There is every reason.

Hon. Mr. BEIQUE—Would the hon. gentleman not agree that it is a matter on which the House should properly exercise its domination?

Hon. Mr. LOUGHEED—Precisely.

Hon. Mr. BEIQUE—And that they should be told beforehand by the Government that if they exercise their opinion in one way or another another Bill will be put off?

Hon. Mr. DANDURAND—If my hon. friend stands firmly by his declaration that any amendment to this Bill will prevent the Government from proceeding with the

Redistribution Bill, I would be very sorry, inasmuch as this amendment does not effect the economy of the Act, it leaves it intact, and simply adjourns for how many months my hon. friend knows better than I do,—its application. If my hon. friend stands by that declaration, then I believe we should return to the common sense point of view, which was accepted by all the members of this House this morning, that the Redistribution Act should be in this House before we moved the resolution, and that we should not be asked to take a step which may have important consequences on a Bill which should not be before us at the present time, and should only come here when the Redistribution Act has reached this Chamber. So that if my hon. friend the leader of the Government persists in his declaration that any slight amendment disturbing in no wise the economy of the Bill will have some effect on an Act which should have preceded this one, I say it is unbecoming of this Chamber to take that further step until that Redistribution Bill is in this Chamber. For this reason I will second the motion that this committee rise, report progress and ask leave to sit again.

Hon. Mr. LANDRY—Before the question is put I want to call the attention of my hon. friend who referred to the section of the British North America Act, to another section which reads:

This Act shall take effect upon the dissolution of the present Parliament.

That is an example given to us as to what we should do, and I desire to call attention to the fact that this is only a repetition of the Constitutional Act.

Hon. Mr. DANDURAND—I said so half an hour ago.

Hon. Mr. LANDRY—Subsection 5 of section 51 reads:

Such readjustment shall not take effect until the termination of the then existing Parliament.

Hon. Mr. DANDURAND—But what harm is there in this Chamber acting on the same line, declaring that any increased representation in this Chamber which is due to the occasion of the Redistribution Bill being brought in the other Chamber should be applied at the same time?

Hon. Mr. LANDRY—The difference is this: in one case we have the British North America Act which imposed the duty of making that declaration. In the other case it is nothing of the kind, and there has been additions to the senate outside the periods of the census.

Hon. Mr. CLORAN—I have just received a copy of the amendment moved by the hon. leader of the Opposition. It does not suit me at all. The amendment reads that this Bill shall not go into effect until the termination of the now existing Parliament. My view would be that it should not go into effect until after the next general elections. I will not give any reasons, and I hope when the amendment is put to the House it will read that way.

The motion was agreed to, and hon. Mr. Bolduc from the committee reported that they had made some progress with the Bill and asked leave to sit again.

The SPEAKER—The committee will resume at 12.45.

POST OFFICE ACT AMENDMENT BILL.

MOTION.

A message was received from the House of Commons returning Bill (147), 'An Act to amend the Post Office Act,' stating that the Commons disagreed to the amendment made by the Senate by striking out the words 'and shall not take effect until so revised or ratified' and in inserting in the blank the words 'one cent.'

Hon. Mr. LOUGHEED—I move that the Senate do concur to agree to the consequential amendment of the Commons made to the amendment of the Senate to said Bill and do not insist on the words 'and shall not take effect until so revised or ratified' in said amendment to which the Commons disagreed.

Hon. Mr. LOUGHEED—The effect of the Commons amendment is that the amendment moved by my hon. friend from Toronto (Hon. Mr. Kerr), is not accepted by the Commons. The balance of the Senate amendment is accepted. Furthermore the rate of poundage shall be reduced to one cent per pound.

Hon. Mr. KERR—There are two points to which I take exception. I therefore move in amendment:

That a message be sent to the House of Commons to acquaint that House that the Senate does not agree to the amendment proposed by that House to the said amendment of the Senate, and that the Senate reaffirm their said amendment with the following words added thereto:

And until so revised and ratified by Parliament the now existing rates shall remain in force notwithstanding anything contained in the said Act.

So the point that is said to be essential is provided for in this resolution, that is that the existing rate shall continue until that provision is approved of by Parliament. In other words the question remains open for consideration and both parties have a right to present their case in reference to it. This was in effect the position taken by the press throughout the country and the position I am sorry the Government have not acceded to. We should have a definite decision on the point, and I therefore press my amendment. The result of course is this: that while the House of Commons agreed to our amendment except with reference to a determination of a maximum of one cent as a fixed rate, we leave the matter open with reference to that so that the whole question can be dealt with at once, and it is important that it should be so dealt with and that its hands shall not be tied with figures. There is no necessity to commit Parliament by a new law going into force which at the beginning of next session will have to be changed again. Under these circumstances the rate will continue as at present.

Hon. Mr. TAYLOR—What is the present rate?

Hon. Mr. KERR—My recollection is it is a varying rate. It is the principle I am discussing now; it is that Parliament is not tied and can deal with the matter as it thinks proper, while under the supposed measure as sent to us from the House of Commons, Parliament would be tied.

Hon. Mr. LOUGHEED—That has been the point of the whole controversy namely that the Postmaster General should not have authority to fix those rates until the next session of Parliament. Now, my hon. friend reaffirms that. For that principle the opponents of the Bill have been contending since its introduction into this House. That is now being reaffirmed in the motion which my hon. friend has moved. The Government has made some very material concessions to the opponents of the Bill. To accept this amendment would be equivalent to the opponents of the Bill saying we have secured everything we demanded, and that no consideration should be given to the views of the Government as to the authority which should be exercised by the Postmaster General. In the message which has come down from the House of Commons to the Senate the Government feels it has conceded all it can concede on this question.

Hon. Mr. YOUNG—If the newspaper men are right it would be no crime if they got all they demanded.

Hon. Mr. KERR—I wish to reply to the hon. leader of the Government.

Hon. Sir MACKENZIE BOWELL—We are not conducting this discussion as if we were in committee. If this goes on we will not get through before to-morrow morning.

Hon. Mr. KERR—I suppose I can say something in reply to the leader of the Government.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman introduced his amendment and spoke to it and deprived himself of the right to reply.

Hon. Mr. KERR—Does the hon. gentleman contend that I have no right to reply?

Hon. Sir MACKENZIE BOWELL—No, his amendment is not a substantive measure.

Hon. Mr. KERR—The Government wish to stifle discussion.

Hon. Sir MACKENZIE BOWELL—No, the Government do not wish to do anything of the kind. I ask for a ruling on the point of order.

The SPEAKER—The question is on the amendment moved by the hon. member from Toronto. The hon. gentleman made his speech and wound it up by submitting his amendment, which is before the House.

Hon. Mr. KERR—Since then the Government has answered.

The SPEAKER—The Government has answered and the hon. gentleman has a right to have some one else reply in his name, but he has no right to make another speech. A member proposing an amendment has no right to reply.

Hon. Sir MACKENZIE BOWELL—In the interests of the press itself my hon. friend is making a great mistake when he insists upon his amendment, particularly after the concession which the Government has made in the Bill in fixing the maximum rate at which postage can be imposed. On one point I feel just as strong as my hon. friend, but I shall not discuss it now. Looking at the Bill as it is before us to-day I find that the provisions for the protection of the press are quite ample. Should any injustice be done to them it can only last

until the next session of Parliament, and it has all the protection of the Treasury Board and of Parliament immediately upon its re-assembling to rectify any wrong that may be done. The press itself, if I understand their opinions on this question, do not look upon a maximum rate of one cent as being too high if imposed upon mail matter that travels from sea to sea. I notice that the cause given for not accepting our amendment is one that I mentioned when we were discussing the matter on a former occasion. It places the Government and the Post Office Department in the unfortunate position of not being able to impose or collect any revenue. I notice, however, that that point may possibly be covered by the latter clause of the hon. gentleman's amendment; but notwithstanding that, I cannot help thinking that it would be in the interest of the press itself to accept the proposition made by the Government through the Post Office Department and wait until next session of Parliament to rectify any wrongs which they may think have been inflicted on any class of newspapers that passes through the post office.

Hon. Mr. WATSON—I have taken no part in the debate on this very important question—because it has developed into a very important question. My hon. friend says he thinks that the proposition of the Government agreeing to make the maximum one cent should be accepted. I take exception to that entirely, because the present rate has been a quarter of a cent, and you propose to raise it to four times as much by the Postmaster General.

Hon. Sir MACKENZIE BOWELL—But they all acknowledge that it is not high enough.

Hon. Mr. WATSON—Some acknowledge it. My information is that one or two papers in Canada, known as the dollar dailies, are the ones that load up the mails. They are not newspapers in the ordinary sense, but are advertising sheets sent out by hundreds of thousands to clog the mails and interfere with the legitimate circulation through the mails of the local papers which ought to cover the territory as newspapers. The Postmaster General has found that he is operating his department at a loss, and he asks to increase the rates on the man who is occupying a legitimate field in order to overcome the deficit caused by carrying those advertising sheets, the dollar dailies. I am informed that that is the exact state of affairs; and if so, and if the Postmaster General is seeking to overcome the situation by putting a tax on those newspapers occupying a legitimate field, and make them pay for the circulation of those advertising sheets, the dollar dailies, all over Canada, I think Parliament should be consulted. I am opposed on principle to action by the Governor in Council; I am opposed in principle to action by the minister. I do not think the Treasury Board is sufficient, because the Treasury Board in my opinion simply means the Postmaster General.

Hon. Sir MACKENZIE BOWELL—Oh, no.

Hon. Mr. WATSON—The Parliament of Canada have up to the present time decided on the rates to be charged. There have been no particular complaints up to the present time, and I believe those complaints originated with the dollar daily—those advertising sheets of which I have spoken. The Postmaster General suggests that he should have the right to raise the rates on newspapers sufficiently high to meet the deficiency. I do not think that should be allowed. I think the Parliament of Canada should control the rates, and that the Postmaster General should not have that power, particularly in this case, for I am informed by newspaper men that the Postmaster General has said to some of them: 'You are opposing my legislation; I propose to fix you.' I do not propose to put the newspaper men in Canada in such a position that any minister 'can fix them.' I agree to the amendment. This House the other day sent down a Bill not properly equipped because the Postmaster General was put out of business, there being no provision for the collection of his revenue; but this amendment allows him to collect his revenue the same as before, and therefore I am strongly in favour of the amendment proposed by the hon. gentleman from Toronto.

Hon. Mr. YOUNG—As the leader of the Government has said, the question of principle is the one which we have to decide; Parliament or Postmaster General—which should rule in this matter? Should we change a system which has been in operation for over fifty years? I congratulate my friend the senator from Belleville (Hon. Sir Mackenzie Bowell), for whom I have the greatest respect, on his conversion to a view different from what he had when this matter was before the Banking and Commerce Committee. Mr.

P. D. Ross, a gentleman well-known in the newspaper world and also in the public eye, in presenting his arguments against the proposition that the Postmaster General should have control of the rates, said:

What we hesitate to accept is merely the principle of leaving in the hands of one man the power to change the rates at any time.

That is the objection of the newspaper world to this proposition. Then we read:

Hon. Mr. Bowell—It is dangerous.

Now, if it was dangerous two weeks ago, I do not know of anything that has transpired that has lessened that danger at the present moment. I do not wish to prolong the discussion; we should settle that principle that has stood on the books for fifty years and should not be changed.

Hon. Mr. ROSS (Middleton)—Supposing the Postmaster General under the law, if that amendment is not accepted, were to fix a rate, say in July, and Parliament met again in December, would not his rate have then to be approved or disapproved of by Parliament?

Hon. Mr. YOUNG—It is contemplated that between now and the next meeting of Parliament experts will go into this matter not only of rates but of zones, and the new method of collecting tolls for carrying the mails through the Dominion, and that a basis fair and reasonable to everybody will be adopted that will likely stand for years. This is a complicated question, which was so difficult in the United States and in England that in Britain they settled it by experts going into the whole matter and making a report to the Postmaster General.

Hon. Mr. ROSS (Middleton)—It is stated that this is an issue whether it should be the Postmaster General or Parliament. I do not quite see it that way. If it were that I would know exactly how I would decide. If we were to give the Postmaster General power for the future without limitation to fix the rate of postage, I, for one, would not agree to it. I think that ought to be dealt with sooner or later by Parliament, but where he only gets a hand free to regulate the postage not making it more than one cent a pound until the next meeting of Parliament, I think there is a possible advantage in giving him that time to experiment in zones and rates.

Hon. Mr. WATSON—It is only one-quarter of a cent now.

Hon. Mr. YOUNG.

Hon. Mr. ROSS (Middleton)—In some cases it should be seven or eight times that, but certainly he cannot exceed one cent a pound.

Hon. Mr. CLORAN—I would not give the minister one day's control of the rates.

The House divided on the amendment, which was adopted on the following division.

Contents, 17; non-contents, 11.

Contents:

The Honourable Messieurs

Beith,	Mitchell,
Bostock,	Power,
Cloran,	Prowse,
Dassaulles,	Ratz,
Forget,	Ross (Moosejaw),
Gillmor,	Thibaudeau,
Kerr,	Watson,
Mackay (Alma),	Young.—17.
McHugh,	

Non-Contents:

The Honourable Messieurs

Bolduc,	Lougheed,
Boucherville, de	McKay (Cape Breton),
Bowell (Sir Mackenzie),	Murphy,
Corby,	Pope,
Landry (Speaker),	Ross (Middleton).—11
LaRivière,	

BILL INTRODUCED.

Bill (62), An Act to readjust the Representation in the House of Commons.—Hon. Mr. Lougheed.

The Senate adjourned until two o'clock.

SECOND SITTING.

The Speaker took the Chair at 3 p.m.

Routine proceedings.

INCREASED REPRESENTATION IN THE SENATE.

ADDRESS REPORTED FROM THE COMMITTEE.

Hon. Mr. LOUGHEED moved that the House resume in Committee of the Whole consideration of the address from the House of Commons respecting an amendment of certain provisions of the British North America Act increasing representation in the Senate.

Hon. Mr. DANDURAND—Before we move into committee again on this Bill, which is contentious so far as the small amendment which has been proposed is con-

cerned, should we not take up the other business represented by the next order?

Hon. Mr. LOUGHEED—No, I would prefer that we should adhere to the Order Paper, and to the arrangement which we had before adjournment.

Hon. Mr. BOSTOCK—What arrangement does the hon. gentleman refer to?

Hon. Mr. LOUGHEED—That the House should go into committee at two o'clock on the opening of the second session.

The motion was agreed to.

In the committee.

Hon. Mr. BOSTOCK—I renew my amendment—that the following words be added, 'this Act should not take effect until the termination of the existing Parliament.'

Hon. Mr. LOUGHEED—I cannot accept that.

The committee divided on the amendment, which was adopted.

Contents, 18; non-contents, 9.

Hon. Mr. BOLDUC, from the committee, reported the resolution with an amendment.

On the question of concurrence, the members were called in, and the Senate divided with the following result:

Contents:

The Honourable Messieurs

Béique,	Kerr,
Beith,	MacKay (Alma),
Bostock,	McHugh,
Cloran,	Prowse,
Dandurand,	Ratz,
David,	Ross (Moosejaw),
Dessaulles,	Thibaudeau,
Forget,	Watson,
Gillmor,	Young.—18.

Non-Contents:

The Honourable Messieurs

Bolduc,	Lougheed,
Bowell (Sir Mackenzie),	McKay (Cape Breton),
Corby,	Murphy,
Landry (Speaker),	Ross (Middleton).—9.
LaRivière,	

Hon. Mr. BOSTOCK—Is the hon. leader going to make any further motion in regard to the matter?

Hon. Mr. LOUGHEED—No; the resolutions as amended are not mine, but in a sense become resolutions of hon. gentlemen opposite, and I consider the practice should be that hon. gentlemen on the opposite side, having taken charge of the resolutions and having incorporated into them a principle that the Government cannot accept, should move that a message be sent down to the House of Commons asking the House to concur in the amended resolutions. That I think is the logical view to take of it.

Hon. Mr. YOUNG—The greater part of the resolution is unchanged.

Hon. Mr. LOUGHEED—But the amendment takes out of the hands of the Government the action proposed to be taken with reference to the western representation.

Hon. Mr. WATSON—Not at all.

Hon. Mr. LOUGHEED—The Government cannot possibly act under the resolutions until a certain event takes place; that is, the discretion of the Government cannot be exercised.

Hon. Mr. WATSON—I understood the hon. gentleman, when he introduced the resolution in the first place, to say that Parliament had to legislate. That is practically all this amendment proposes. I am in favour of the West having increased representation in the Senate, but I am not in favour of the Government taking the power to appoint more senators until the Commons have the proper representation, and the people have expressed themselves. We have amended the resolution along that line.

Hon. Mr. BOSTOCK—I move, seconded by the hon. gentleman from De Lorimier (Hon. Mr. Dandurand) that the Senate do unite with the House of Commons in the said address by inserting in the blank space the words 'Senate and,' and that a message be sent to the Commons accordingly.

The motion was agreed to on division.

Hon. Mr. BOSTOCK—I move, seconded by the hon. gentleman from De Lorimier (Hon. Mr. Dandurand), that the said address be presented to His Royal Highness the Governor General, and that His Honour the Speaker do sign the said address on behalf of the Senate.

The motion was agreed to on a division.

Hon. Mr. BOSTOCK moved:

That a message be sent to the Commons by one of the Masters in Chancery to acquaint that House that the Senate has passed such address with an amendment, to which they invite the concurrence of that honourable House.

The motion was agreed to on division.

THE REDISTRIBUTION BILL.

SECOND AND THIRD READINGS.

Hon. Mr. LOUGHEED moved the second reading of Bill (62), An Act to readjust the representation in the House of Commons. He said: In moving the second reading of this Bill, I desire to say that since I made the statement this morning that the resolutions, which have been practically rejected, and the Bill now before us for consideration should be coupled together. Upon reconsideration the Government has thought it desirable to submit the Redistribution Bill to this House. The Prime Minister, upon its return to the House of Commons, will doubtless make a statement respecting the subject, which if made will of course, appear upon the records and will explain the position of the Government upon this question.

The motion was agreed to, and the Bill was read the second time.

The House resolved itself into a Committee of the Whole on the Bill.

In the Committee.

Hon. Mr. LOUGHEED—I move the first clause of the Bill.

Hon. Mr. CLORAN—I would suggest to the hon. leader of the Government that, as this matter appertains solely to the House of Commons, he should make a general motion and have the Bill adopted en bloc instead of going through fifty or sixty pages.

The CHAIRMAN—As a legal question, this House has a right to amend that Bill.

Hon. Mr. CLORAN—Certainly, and if the vote is not unanimous it will have to be discussed clause by clause.

Hon. Mr. LOUGHEED—There are only seven clauses in the Bill. The rest of it made up of schedules, so that there should be no delay.

The remaining clauses and schedules were adopted without discussion.

Hon. Mr. CLORAN—Now you can see how fair the Opposition is; it makes no amendment to that Bill.

Hon. Mr. LOUGHEED—If there are any amendments to be suggested, let us hear what they are—

Hon. Sir MACKENZIE BOWELL—You could carry your amendments.

Hon. Mr. BOSTOCK.

Hon. Mr. BOLDUC, from the committee, reported the Bill without amendment. On motion of Hon. Mr. Lougheed, seconded by Hon. Sir Mackenzie Bowell, the Bill was read the third time and passed.

The Senate adjourned during pleasure.

After some time the House was resumed.

INCREASED REPRESENTATION IN THE SENATE.

A message was received from the House of Commons stating that the amendment made by the Senate to the proposed joint address was not concurred in, for the following reasons:

1. Because appointments to the Senate have no necessary or appropriate relation to the date of the election of members to serve in the House of Commons.
2. Because in respect of certain of the western provinces the proposed increase of representation in the Senate has relation solely to the result of the last decennial census which result has been ascertained.
3. Because the said amendment is inappropriate and incongruous.
4. Because no sufficient reason can be adduced for the delay effected by the said amendment.

Hon. Mr. BOSTOCK moved that the Senate do insist on their amendment.

The motion was agreed to on division.

The House adjourned during pleassure.

THE PROROGATION.

His Royal Highness the Governor General having come and being seated on the Throne.

The Hon. the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that,—'It is His Royal Highness the Governor General's pleasure that they attend him immediately in the Senate.'

Who being come with their Speaker.

The Clerk of the Crown in Chancery read the Title of the Bills to be passed as follows:

ROYAL ASSENT.

An Act to amend the Customs Act.

An Act to amend the Juvenile Delinquents Act, 1908.

An Act to correct a clerical error in the Act 1-2 George V., chapter 118, an Act respecting the National Weekly Indemnity Company, and to change its name to 'the Merchants and Employers Guarantee and Accident Company.'

An Act to amend the Civil Service Act.

An Act for the relief of Frederick Joseph Campbell.

An Act to incorporate the Canadian General Council of the Boy Scouts Association.

An Act for the relief of Georgina Beatrice Boyd.

An Act for the relief of George Andrew Crooks.

An Act to provide for further advances to the Harbour Commissioners of Montreal.

An Act to provide for further advances to the Quebec Harbour Commissioners.

An Act to amend the Inspection and Sale Act.

An Act to amend the Export Act.

An Act to amend the Irrigation Act.

An Act to amend the Canada Grain Act.

An Act to amend the Canada Temperance Act.

An Act respecting the entrance of the Grand Trunk Pacific Railway Company and the Canadian Northern Railway Company into their joint terminals at the city of Winnipeg.

An Act to amend the Adulteration Act.

An Act respecting the Toronto, Niagara and Western Railway Company.

An Act to amend the Judges Act.

An Act to amend the Railway Act.

An Act to amend the Dry Dock Subsidies Act.

An Act respecting the Eastern Canada Savings and Loan Company, Limited, and to change its name to 'the Eastern Canada Savings and Loan Company.'

An Act to amend the Criminal Code.

An Act respecting the Canadian Northern Ontario Railway Company, and to ratify and confirm its purchase of a portion of the property of the Carillon and Grenville Railway Company.

An Act for the relief of Robert Markle Richardson.

An Act for the relief of Florence Merritt.

An Act for the relief of Gustav Oscar Lindquist.

An Act for the relief of Margaret Van Dusen.

An Act to incorporate the General Council of the Canadian Branch of the St. John Ambulance Association.

An Act for the relief of William Ewan Laurie.

An Act to amend the Act respecting the National Battlefields at Quebec.

An Act to amend the Yukon Placer Mining Act.

An Act to amend the Saint John and Quebec Railway Act.

An Act respecting the North Shore Power, Railway and Navigation Company, and to change the name thereof to 'Gulf Pulp and Paper Company.'

An Act to amend the Dominion Lands Act.

An Act to amend the Dominion Forest Reserves and Parks Act.

An Act respecting the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, and the Toronto Harbour Commissioners.

An Act to regulate Cold Storage Warehouses.

An Act to incorporate the Title Insurance Company of Canada.

An Act respecting certain patents of the F. N. Burt Company, Limited.

An Act respecting a patent of Frederick Sinclair Corrigan.

An Act for the relief of Frederick Dwight Chesley.

An Act respecting the Grand Council of the Catholic Mutual Benefit Association of Canada.

An Act respecting Loan Companies.

An Act to regulate the Manufacture, Testing, Storage and Importation of Explosives.

An Act to make further provision for Bounties to Volunteers who served the Crown during the Fenian Raids.

An Act to amend the Customs Tariff, 1907.

An Act to amend Part VI of the Canada Shipping Act.

An Act respecting the Canadian Northern Railway Company.

An Act respecting the Canadian Northern Ontario Railway Company.

An Act to amend the Indian Act.

An Act to provide for the Inspection and Branding of Pickled Fish.

An Act respecting Trust Companies.

An Act for the relief of Alberta Ring.

An Act for the relief of John Robinson.

An Act for the relief of Bertha Lucinda Graham.

An Act to amend Part X of the Canada Shipping Act.

An Act to amend the Companies Act.

An Act respecting the Canadian Northern Railway Company.

An Act respecting the Canadian Northern Railway System.

An Act to amend the Dominion Lands Act.

An Act to amend the National Transcontinental Railway Act.

An Act to authorize a guarantee of bonds of the Grand Trunk Pacific Railway Company.

An Act to amend the Montreal Harbour Commisioners' Act, 1894.

An Act to amend the Post Office Act.

An Act respecting British Nationality, Naturalization and Aliens.

An Act to readjust the representation in the House of Commons.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:

In His Majesty's name, His Royal Highness the Governor General, doth assent to these Bills.

Then the Honourable the Speaker of the House of Commons addressed His Royal Highness the Governor General, as follows:

May it please Your Royal Highness:

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 Royal Highness the following Bill:

An Act for granting to His Majesty certain sums of money for the public service of the financial years ending respectively the 31st March, 1914, and the 31st March, 1915, to which Bill I humbly request Your Royal Highness' assent.

Then after the Clerk of the Crown in Chancery had read the title of this Bill.

To this Bill the Royal Assent was pronounced by the Clerk of the Senate in the following words:

In His Majesty's name, His Royal Highness the Governor General thanks His loyal subjects,

accepts their benevolence, and assents to this Bill.

After which His Royal Highness the Governor General was pleased to close the Third Session of the Twelfth Parliament of the Dominion of Canada, with the following Speech:

SPEECH.

Honourable Gentlemen of the Senate:
Gentlemen of the House of Commons:

I am glad to relieve you from further attendance in Parliament after a session which has been marked by legislation of an important character.

The task of readjusting the representation of the people in the House of Commons, under the provisions of the British North America Act, on a basis not open to just criticism, has naturally been a difficult one; but it has been accomplished in a manner which I trust will prove satisfactory to the electorate. This readjustment will greatly increase the representation of the four western provinces.

My advisers have not been unmindful of the necessity of completing with the least possible delay the great Transcontinental railway systems now under construction; and the provision which has been made for necessary assistance to those great national enterprises will, I trust, not only ensure their early completion but result in distince and marked benefit to all portions of the Dominion.

The difficult question of providing a system of naturalization whereby the status of British citizenship thus acquired shall be recognized by law in all parts of the empire has for many years engaged the attention of the Governments of the mother country and of all the self-governing Dominions. The measure which has been passed for that purpose by the Parliament of Canada and which will find its complement in legislation passed by the Imperial Parliament and by the Parliaments of the other Dominions, contributes to a great result upon which the empire as a whole is to be congratulated.

It has been found necessary to make a partial readjustment of the tariff in certain important respects and I have every confidence that this readjustment will prove of marked advantage not only to the industries chiefly concerned but to all the business and industrial life of the country.

The legislation which has been enacted to implement the resolutions passed by the International Conference on Safety of Life at Sea, provides more effective measures for ensuring in the future the safety of passengers and crews on ocean-going steamships.

The measure which has been passed for the more effective supervision of Cold Storage Warehouses will, I trust, have important results by regulating in the public interest the condition and disposal of food products as stored.

It is confidently anticipated that the amendments to the existing laws respecting Trust and Loan Companies will prove of marked advantage in securing greater uniformity as well as additional safeguards to the public.

The measure providing for a specially constituted commission to investigate shipping casualties of extreme gravity will afford the means of making a more thorough and exhaustive inquiry into such cases and of securing recommendations from competent experts as to requisite precautions to prevent such disasters in the future.

My advisers are constantly impressed with the necessity for greater and improved facilities in all the national ports of Canada and they believe that the necessary provision of large dry docks which are essential for that purpose will be more readily consummated by the amendment pased at the present session.

Gentlemen of the House of Commons:

I thank you for the liberal provision you have made for the public service.

Honourable Gentlemen of the Senate:
Gentlemen of the House of Commons:

My term of office is drawing to a close and this is the last occasion on which I shall have the honour of addressing you as Governor General.

I consider it a fitting opportunity of expressing to you my fervent belief in the high destiny of Canada and the manner in which Canadians will fulfil that destiny.

I desire to assure you that, after my official connection with you is severed, I shall still continue to feel the greatest affection for the people of Canada and an unaltered interest in all that pertains to the progress and prosperity of the Dominion.

The Speaker of the Senate then said:

Honourable Gentlemen of the Senate:
Gentlemen of the House of Commons:

It is His Royal Highness the Governor General's will and pleasure that this Parliament be prorogued until Wednesday, the 22nd day of July next, to be here holden, and this Parliament is accordingly prorogued until Wednesday, the 22nd day of July next.

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PART I — SENATORS

The following abbreviations are used: 1st R., 2nd R., 3rd R., 1st, 2nd and 3rd Readings; *, without remark or debate; Accts., Accounts; Adjn., Adjourned; Amt., Amendment; Amts., Amendments; B. Bill; B.C., British Columbia; Can., Canada or Canadian; Com., Committee; Co., Company; Consdn. Consideration; Cor., Correspondence; Dept., Department; Govt., Government; His Ex., His Excellency the Governor General; H. of C., House of Commons; Incorp., Incorporation; Inq., Inquiry: Man., Manitoba; Mess. Message; M., Motion; *m.*, moved; N.B., New Brunswick; N.W.T., North West Territories; N.S., Nova Scotia; Ont., Ontario; Parlt., Parliament; P.E.I., Prince Edward Island; P O., Post Office; Ques., Question: R.A., Royal Assent; Rem., Remarks; Rep., Reported; Ret., Returned; Ry., Railway; Sel., Select; 6 m h., 6 months hoist; Withdn., Withdrawn.

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(11) An Act respecting the Burrard Inlet Tunnel and Bridge Company: Mr. Bostock, intro., 138; 2nd R., 143; 3rd R., 198; Mr. Power, M., 159.

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(51) An Act respecting the Bronson Company: Mr. Belcourt, intro., 222; 2nd R., 230; 3rd R., 278.

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(58) An Act to incorporate the Sudbury, Kippewa and Bell River Railway Company: Mr. Gordon, intro., 171; 2nd R., 223; 3rd R., 351.

(59) An Act respecting the Toronto, Niagara and Western Railway: Mr. Casgrain, 2nd R., 458; 3rd R., 595; Mr. Watson, intro., 447.

(60) An Act to incorporate the United Empire Loyalists' Association of Canada: Mr. Kirchhoffer, intro., 145; 2nd R., 160; 3rd R., 278.

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(64) An Act respecting the London and Port Stanley Railway Company: Sir Mackenzie Bowell, rem., 298; Mr. Donnelly, intro., 171; 2nd R., 181; Mr. Kerr, rem., 297-298; Mr. Power, rem., 299; Mr. Taylor, 3rd R. postponed, 297; rem., 297; 3rd R., 320; Mr. Young, rem., 299.

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(73) An Act respecting the Canadian Northern Railway Company: Mr. Watson, intro., 222; 2nd R., 230; 3rd R., 274.

(74) An Act respecting the Central Ontario Railway Company: Mr. Derbyshire, intro., 241; 2nd R., 265; 3rd R., 320.

(75) An Act respecting the Continental Fire Insurance Company of Canada: Mr. Watson, intro., ; 2nd R., 230; 3rd R., 312.

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(79) An Act to incorporate the Bruce Peninsula Railway Company: Mr. Donnelly, intro., 312; Mr. Taylor, 2nd R., 323; 3rd R., 432.

(80) An Act respecting the Canadian Northern Railway Company: Mr. Watson, intro.; ; 2nd R., 680; 3rd R., 768; Mr. Loughheed, M., 643.

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(96) An Act to amend the Weights and Measures Act: Mr. Bostock, rem., 231; Mr. Boyer, rem., 233; Mr. Daniel, rem., 233-234; Mr. Lougheed, intro., 222; 2nd R., 230; rem., 231; (in Com.), 259; 3rd R., 274; Mr. Poirier, rem., 231-233.

(97) An Act Act to incorporate the Labrador, Quebec and Southern Railway Company: Mr. Belcourt, intro., 397; 2nd R., 414; 3rd R., 435.

(98) An Act to amend the Volunteer Bounty Act of 1908 and amending Acts: Mr. Bostock, rem., 275; Sir Mackenzie Bowell, rem., 277; Mr. Cloran, rem., 279; Mr. Davis, rem., 278; Mr. Kerr (in Com.), rem., 276; Mr. Lougheed, intro., 203; 2nd R., 222-223; rem., 275; (in Com.) 276; 3rd R., 278; Mr. Watson, rem., 275, 276.

(99) An Act to amend the Adulteration Act: Mr. Boyer, rem., 570-571; Sir Mackenzie Bowell, rem., 571; Mr. Lougheed, intro., 446; 2nd R., 459; rem., 493, 569, 570; 3rd R., 573; Mr. Watson, rem., 572; Mr. Young (in Com.), rem., 493.

(102) An Act to regulate the Manufacture and Sale of Dairy Products, etc.: Mr. Bostock, rem., 433; Mr. Cloran, 438-439; Mr. Derbyshire, rem., 436-437, 438; Mr. Lougheed, intro., 403; 2nd R., 432-433; rem., 439; 3rd R., 448; Mr. Power, rem., 436, 437, 438; Mr. Watson, rem., 438.

(103) An Act to prohibit the manufacture and importation and sale of matches made with white phosphorus; Mr. Bostock, rem., 260, 279; Mr. Boyer, rem., 262, 330; Mr. Casgrain, rem., 263; Mr. Cloran, rem., 280, 282; Mr. Daniel, rem., 263-264; Mr. Davis, rem., 280, 281, 282; Mr. Lougheed,

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(104) An Act respecting the harbour of North Sydney in Nova Scotia: Mr. Bostock, rem., 266, 283; Mr. Daniel, rem., 266; Mr. Lougheed, intro., 241; 2nd R., 265; rem., 283, 284; 3rd R., 299; Mr. Power, rem., 284.

(107) An Act respecting the Fredericton and Grand Lake Coal and Railway Company and the Canadian Pacific Railway Co.: Mr. Daniel, intro., 414; 2nd R., 433; 3rd R., 458.

(109) An Act to amend the Inspection and Sale Act: Mr. Béique, rem., 420-421; Mr. Bostock, rem., 430; Mr. Cloran, rem., 416-417; Mr. Dandurand, rem., 427; Mr. Douglas, rem., 417-418; Mr. Edwards, rem., 429; Mr. Gordon, rem., 419; Sir Lyman Melvin Jones, rem., 421-424, 426, 427-428, 429; Mr. Lougheed, intro., 373; M. (in Com.), 415, 425, 430; 3rd R., 432; Mr. McHugh, rem., 429; Mr. Power, rem., 426; Mr. Roche, rem., 420; Mr. Talbot, rem., 416, 421; Mr. Thompson, rem., 418-419; Mr. Watson, rem., 424-425.

(111) An Act to amend the Civil Service Insurance Act: Mr. Lougheed, intro., 241; 2nd R., 268; rem. (in Com.) 284; 3rd R., 299; Mr. Power, rem., 284.

(113) An Act to regulate Cold Storage Warehouses: Mr. Bostock, rem., 608, 629; Mr. Lougheed, intro., 604; 2nd R., 607; rem., 608, 629; 3rd R., 630; Mr. Young, rem., 608.

(114) An Act to amend the Indian Act: Mr. Béique, rem., 484, 520-521; Mr. Bostock, rem., 480-482, 521; Sir Mackenzie Bowell, 554, 557; Mr. Boyer, rem., 526; Mr. Casgrain, 524, 525; Mr. Davis, rem., 518, 520, 523, 555-556; Mr. Kerr, rem., 553-554; Mr. Lougheed, intro., 458; 2nd R., 480; rem., 482; (in Com.) 517, 518, 519, 522, 553; M., 629; 3rd R., 630; Mr. Watson, rem., 524; Mr. Young, rem., 483.

(120) An Act to correct a clerical error in the Act, I and II George V, chap. 118, an Act respecting the National Weekly Indemnity Company, and to change its name to the Merchants and Employers National Guarantee Company: Mr. Young, intro., 447; 2nd R., 458; 3rd R., 507.

(122) An Act to amend the Government Railway Small Claims Act: Mr. Lougheed, intro., 387; 2nd R., 400; 3rd R., 432; Mr. Power, rem., 400.

(126) An Act to amend the Dominion Lands Act: Mr. Lougheed, intro., 458; 2nd R., 484.

(128) An Act to amend an Act to incorporate the Vancouver Harbour Commissioners: Mr. Belcourt, rem., 340, 347, 348, 349; Mr. Bostock, rem., 340; (in Com.) 346-347; Sir Mackenzie Bowell, rem., 347; Mr. Lougheed, intro., 328; 2nd R., 340; (in Com.) 347, 373; 3rd R., 387; Mr. Power, rem., 373.

(136) An Act to amend the Dominion Lands Act: Mr. Davis, rem., 559; Mr. Lougheed, intro., 458; rem., 558, 559, 560, 561, 562, 563, 564; 3rd R., 573; Mr. Watson, rem., 560, 562, 564, 565.

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(137) An Act to amend the Dominion Forests Reserve and Parks Act: Mr. Lougheed, intro., 458; 2nd R., 485; 3rd R., 573.

(138) An Act to amend the Irrigation Act: Mr. Belcourt, rem., 543; Mr. Lougheed, intro., 485; 2nd R., 515, 543, 544, 545, 546; Mr. Power, rem., 543; 3rd R., 573; Mr. Lougheed, intro., 472.

(144) An Act to amend the Indian Act: Mr. Lougheed, intro., 458.

(146) An Act to amend the Civil Service Act: Mr. Belcourt, rem., 474, 512-513; Mr. Bostock, rem., 453; Sir Mackenzie Bowell (in Com.), rem., 466-467; Mr. Choquette, M., 474; rem., 509; Mr. Daniel, rem., 508-509; Mr. Landry (Speaker), rem., 511; Mr. Lougheed, intro., 414; 2nd R., 453, 511; Mr. Power, rem., 475, 511, 512.

(147) A Bill to amend the Post Office Act: Mr. Béique, rem., 856-857; M., 866; Mr. Bostock, rem., 863; Sir Mackenzie Bowell, rem., 810, 858, 861-863; Mr. Cloran, rem., 856, 859; Mr. Dandurand, rem., 858, 860-861; Mr. Kerr, rem., 615, 851, 852, 853; M., 907-908; Mr. Landry (Speaker), rem., 859-860, 865; Mr. Lougheed, intro., 430; 2nd R., 491, 866; 3rd R., 681; M., 810; M., 850; rem., 851-852, 853-855, 857; M., 907; rem., 908; Mr. Power, rem., 858, 864, 866; Mr. Young, rem., 855-856; Mr. Watson, rem., 864.

(168) An Act to amend Part VI of the Canada Shipping Act: Mr. Béique, rem., 593; Mr. Belcourt, rem., 591-592; Mr. Bolduc, rem., 653-654; Sir Mackenzie Bowell, 590, 592, 593, 596; Mr. Boyer, rem., 567; Mr. Casgrain, rem., 658, 659, 660; Mr. Choquette, rem., 566-567; (in Com.), M., 590, 596, 661, 688-690; Mr. Currry, rem., 660; Mr. Dandurand, rem., 660; Mr. David, rem., 590, 596; Mr. Landry (Speaker), rem., 657, 658; Mr. Lougheed, intro., 458; 2nd R., 566; rem., 654-656, 660-661; (in Com.) 688; 3rd R., 691; Mr. Roche, rem., 692; Mr. Taylor, rem., 656-657.

(169) An Act to amend the Customs Tariff of 1907: Mr. Bostock, rem., 661-663; Mr. Lougheed, rem., 661; 2nd R., 661; 3rd R., 668.

(170) An Act to amend the Canada Grain Act: Mr. Béique, rem., 680-681; Mr. Lougheed, intro., 472; rem., 547; M., 3rd R., 573; 3rd R., 680; rem., 681.

(171) An Act to amend the Customs Act: Sir Mackenzie Bowell, rem., 496; Mr. Lougheed, intro., 446; 2nd R., 459, 460; rem., 495, 496; 3rd R., 507.

(173) An Act respecting British Nationality, Naturalization and Aliens: Mr. Béique, rem., 739, 761; Mr. Bostock, rem, 753-755; Mr. Choquette, rem., 764; Mr. Cloran, rem., 734, 737, 740, 765; Mr. Curry, rem., 762; Mr. Dandurand, rem., 738, 739, 763, 764, 765; Mr. Daniel, rem., 732, 755, 756; Mr. Douglas, rem., 738; Mr. Kerr, rem., 742, 743, 759-760; Mr. Lougheed, intro., 696; 2nd R., 731; rem., 732, 733, 736, 746, 747, 754, 755, 760, 770, 773; 3rd R., 812; Mr. McKay (C.B.), rem., 744, 745, 746; Mr. Power, rem., 734, 739, 765, 769, 771, 772; Mr. Ross (Middle-

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(174) An Act to amend the Juvenile Delinquents Act: Mr. DeBoucherville, rem., 461; Mr. Belcourt, rem., 462, 463; Mr. Cloran, rem., 461, 463; Mr. Lougheed, intro., 447; 2nd R., 460, 462; 3rd R., 507; Mr. Power, rem., 461-462.

(175) An Act to amend the Supreme Court Act: Mr. Lougheed, intro., 434; 2nd R., 457.

(176) An Act to make further provisions for Bounties to Volunteers who served the Crown during the Fenian raids: Mr. Bostock, rem., 609; Mr. Casgrain, rem., 650; Mr. Cloran, rem., 609-610; (in Com.) 646, 648; Mr. Girroir, rem., 610-611; Mr. Lougheed, intro., 604; 2nd R., 609; rem., 649, 652; Mr. Murphy, rem., 611-612, 649, 650, 651, 652; Mr. McKay (C.B.), rem., 612-614; Mr. Roche, rem., 648-649; Mr. Watson, rem., 614-615, 651-652; Mr. Yeo, rem., 612.

(177) An Act to amend the Companies Act: Mr. Béique, rem., 550, 551, 581-582 586, 692-693; Mr. Belcourt, rem., 583, 584, 585, 588, 589; Mr. Dandurand, rem., 694; Mr. Edwards, rem., 548; Mr. Kerr, rem., 585; Mr. Landry (Speaker), rem., 695; Mr. Lougheed, intro., 472; 2nd R., 515; rem., 547, 551, 581, 587, 589; 3rd R., 596; M., 692-693; Mr. Power, rem., 586; Mr. Ross (Middleton), rem., 582-583; Mr. Thompson, rem., 589.

(178) An Act to amend the Prisons and Reformatory Act: Mr. Lougheed, intro., 434; M., 457; 2nd R., 468.

(179) An Act to amend the Criminal Code: Mr. Belcourt, rem., 464; Mr. Cloran, rem., 465; Mr. Jaffray, rem., 499; Mr. Lougheed, intro., 447; 2nd R., 479; 3rd R., 507; Mr. Power, rem., 464; Mr. Ross (Middleton), rem., 498-499.

(180) An Act to amend the Canada Temperance Act: Mr. Lougheed, intro., 472; 2nd R., 516; rem., 553; 3rd R., 573.

(181) An Act respecting the entrance of the Grand Trunk Pacific Railway Company and the Canadian Northern Railway Company into their joint terminals at the city of Winnipeg: Mr. Lougheed, intro., 458; 2nd R., 485; 3rd R., 573.

(182) An Act to provide for the Inspection and Bonding of Pickled Fish: Mr. Lougheed, intro., 629; 2nd R., 663, 664; (in Com.) 682, 685; Mr. Power, rem., 664; rem. (in Com.), 681,682, 683, 685, 686.

(183) An Act to provide payment of a yearly allowance to Alice Joynson, etc.: Mr. Lougheed, intro., 447; 2nd R., 465; 3rd R., 474.

(185) An Act for the relief of the depositors of the Farmers Bank of Canada: Mr. Béique, rem., 795-797; Mr. Bostock, rem., 782-785; Mr. Cloran, rem., 801-802; Mr. Choquette, rem., 789-791; Mr. Dandurand, rem., 797-799; Mr. David, rem., 795; Mr. Domville, rem., 799-800; Mr. Donnelly, rem., 788-789; Mr. Lougheed, intro., 747; 2nd R., 774-782; Mr. Mason, rem., 791-792; Mr. McHugh, rem., 794-795; Mr. Power, rem., 785-787; Mr. Taylor, rem., 792-793, 794.

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(189) A Bill to regulate the manufacture, testing, storage and importation of explosives: Mr. Bostock, rem., 541; Mr. Casgrain, rem., 541; Mr. Lougheed, intro., 506; 2nd R., 451; rem., 542; 3rd R., 630; Mr. Power, rem., 541-542; Mr. Young, rem., 604.

(190) An Act to amend the Judges Act: Mr. Béique, rem., 574; Sir Mackenzie Bowell, rem., 573-574; Mr. Lougheed, intro., 506; 2nd R., 573; 3rd R., 595.

(191) An Act to provide for further advances to the Harbour Commissioners of Montreal: Mr. Casgrain, rem., 516; Mr. Lougheed, intro., 472; 2nd R., 516; 3rd R., 535.

(192) An Act to provide for further advances to the Harbour Commissioners of Quebec: Mr. Choquette, rem., 517; Mr. Lougheed, intro., 472; 2nd R., 517; 3rd R., 535.

(193) An Act to amend the Act respecting the National Battlefields of Quebec: Mr. Bolduc, rem., 575; Mr. Choquette, rem., 575; Mr. Lougheed, intro., 506; 2nd R., 574; 3rd R., 600; Mr. McKay (C.B.), rem., 576; Mr. Power, rem., 475, 576.

(196) An Act respecting the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada and the Toronto Harbour Commissioners: Mr. Lougheed, intro., 472; 2nd R., 517; 3rd R., 573.

(200) An Act to amend the Yukon Placer Mining Act: Mr. Lougheed, intro., 506; 2nd R., 576, 577; 3rd R., 607.

(201) An Act to amend the St. John and Quebec Railway Act: Mr. Lougheed, intro., 506; 2nd R., 577; rem., 578; 3rd R., 607; Mr. Power, rem., 577, 578.

(204) An Act to amend the Railway Act: Mr. Lougheed, intro., 506; 2nd R., ; 3rd R., 595.

(205) An Act to amend the Drydocks Subsidies Act: Mr. Daniel, rem., 580, 581; Mr. Lougheed, intro., 506; 2nd R., 578; 3rd R., 595; Mr. McKay (C.B.), rem., 580; Mr. Power, rem., 579.

(213) An Act to amend the Dominion Lands Act: Mr. Lougheed, intro., 747; 2nd R., 803; 3rd R., 840.

(214) An Act respecting the Canadian Northern Railway system: Mr. Béique, rem., 719, 720, 723-726; Mr. Bostock, rem., 706-714, 715-719, 829-830; Mr. Boyer, rem., 833-834; Mr. Casgrain, rem., 813-828; Mr. Choquette, M., 835; rem., 835-838; Mr. Cloran, rem., 830-833; Mr. Dandurand, rem., 720, 727-728, 834; Mr. David, rem., 721, 722, 828-829; Mr. Jaffray, rem., 838-840; Mr. Landry (Speaker), rem., 722-723; Mr. Lougheed, intro., 679; M., 692; rem., 696-706, 720, 721; 2nd R., 804-810; Mr. Power, rem., 722.

(221) An Act to amend the Montreal Harbour Commissioners Act, 1914: Mr. Béique, rem., 847-848; Mr. Casgrain, rem., 848; Mr. Cloran, 848, 850; Mr. Dandurand, rem., 729-730; Mr. David, rem., 847; Mr. Lougheed, intro., ; 2nd R., 729; rem., 848; 3rd R., 871; Mr. Power, rem., 729.

(223) An Act to amend Part X of the Canada Shipping Act: Mr. Bostock, rem., 728,

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(224) An Act to amend the National Transcontinental Act: Mr. Bolduc, rem., 803; Mr. Casgrain, rem., 803; Mr. Kerr, rem., 803, 804; Mr. Lougheed, intro., 747; 2nd R., 803, 804; (in Com.) rem., 840; 3rd R., 842; Mr. Watson (in Com.) rem., 841.

(226) An Act to authorize the guarantee of bonds of the Grand Trunk Pacific Railway Company: Mr. Lougheed, intro., 811; 2nd R., 842-846; 3rd R., 846; Mr. Power, rem., 846.

(228) Supply Bill: Mr. Bostock, rem., 893-894; Mr. Cloran, rem., 872; Mr. Lougheed, 1st and 2nd R., 871; rem., 871-872; 3rd R., 893.

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